



Rep. William Davis

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1 AMENDMENT TO SENATE BILL 3443

2 AMENDMENT NO. _____. Amend Senate Bill 3443 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Governmental Ethics Act is amended
5 by changing Section 3A-40 as follows:

6 (5 ILCS 420/3A-40)

7 Sec. 3A-40. Appointees with expired terms; temporary and
8 acting appointees.

9 (a) A person who is nominated by the Governor on or after
10 August 26, 2011 (the effective date of Public Act 97-582) for
11 any affected office to which appointment requires the advice
12 and consent of the Senate, who is appointed pursuant to that
13 advice and consent, and whose term of office expires on or
14 after August 26, 2011 shall not continue in office longer than
15 60 calendar days after the expiration of that term of office.
16 After that 60th day, each such office is considered vacant and

1 shall be filled only pursuant to the law applicable to making
2 appointments to that office, subject to the provisions of this
3 Section.

4 A person who has been nominated by the Governor before
5 August 26, 2011 (the effective date of Public Act 97-582) for
6 any affected office to which appointment requires the advice
7 and consent of the Senate, who has been appointed pursuant to
8 that advice and consent, and whose term of office has expired
9 shall not continue in office longer than 60 calendar days after
10 the date upon which his or her term of office has expired.
11 After that 60 days, each such office is considered vacant and
12 shall be filled only pursuant to the law applicable to making
13 appointments to that office, subject to the provisions of this
14 Section. If the term of office of a person who is subject to
15 this paragraph expires more than 60 calendar days prior to the
16 effective date of this amendatory Act of the 97th General
17 Assembly, then that office is considered vacant on the
18 effective date of this amendatory Act of the 97th General
19 Assembly, and that vacancy shall be filled only pursuant to the
20 law applicable to making appointments to that office. For the
21 purposes of this subsection (a), "affected office" means (i) an
22 office in which one receives any form of compensation,
23 including salary or per diem, but not including expense
24 reimbursement, or (ii) membership on the board of trustees of a
25 public university.

26 (b) A person who is appointed by the Governor on or after

1 August 26, 2011 (the effective date of Public Act 97-582) to
2 serve as a temporary appointee during a recess of the Senate,
3 pursuant to Article V, Section 9(b) of the Illinois
4 Constitution or any other applicable statute, to any office to
5 which appointment requires the advice and consent of the Senate
6 shall not continue in office after the next meeting of the
7 Senate unless the Governor has filed a message with the
8 Secretary of the Senate nominating that person to fill that
9 office on or before that meeting date. After that meeting date,
10 each such office is considered vacant and shall be filled only
11 pursuant to the law applicable to making appointments to that
12 office, subject to the provisions of this Section. Any
13 temporary appointment made pursuant to subsection (b) of
14 Section 9 of Article V of the Illinois Constitution or any
15 applicable statute shall be filed with the Secretary of State
16 and the Secretary of the Senate. The form of the temporary
17 appointment message shall be established by the Senate under
18 its rules.

19 ~~A person who has been appointed by the Governor before~~
20 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
21 ~~serve as a temporary appointee, pursuant to Article V, Section~~
22 ~~9(b) of the Illinois Constitution or any other applicable~~
23 ~~statute, to any office to which appointment requires the advice~~
24 ~~and consent of the Senate shall not continue in office after~~
25 ~~August 26, 2011 or the next meeting of the Senate after August~~
26 ~~26, 2011, as applicable, unless the Governor has filed a~~

1 ~~message with the Secretary of the Senate nominating that person~~
2 ~~to fill that office on or before the next meeting of the Senate~~
3 ~~after that temporary appointment was made. After that effective~~
4 ~~date or meeting date, as applicable, each such office is~~
5 ~~considered vacant and shall be filled only pursuant to the law~~
6 ~~applicable to making appointments to that office, subject to~~
7 ~~the provisions of this Section.~~

8 For the purposes of this subsection (b), a meeting of the
9 Senate does not include a perfunctory session day as designated
10 by the Senate under its rules. For the purposes of this
11 subsection (b), the Senate is in recess on a day in which it is
12 not in session and does not include a perfunctory session day
13 as designated by the Senate under its rules.

14 (c) A person who is designated by the Governor on or after
15 August 26, 2011 (the effective date of Public Act 97-582) to
16 serve as an acting appointee to any office to which appointment
17 requires the advice and consent of the Senate shall not
18 continue in office more than 60 calendar days unless the
19 Governor files a message with the Secretary of the Senate
20 nominating that person to fill that office within that 60 days.
21 After that 60 days, each such office is considered vacant and
22 shall be filled only pursuant to the law applicable to making
23 appointments to that office, subject to the provisions of this
24 Section. The Governor shall file with the Secretary of the
25 Senate the name of any person who the Governor designates as an
26 acting appointee under this Section. The form of the message

1 designating an appointee as acting shall be established by the
2 Senate under its rules. No person who has been designated by
3 the Governor to serve as an acting appointee to any office to
4 which appointment requires the advice and consent of the Senate
5 shall, except at the Senate's request, be designated again as
6 an acting appointee for that office at the same session of that
7 Senate, subject to the provisions of this Section.

8 ~~A person who has been designated by the Governor before~~
9 ~~August 26, 2011 (the effective date of Public Act 97-582) to~~
10 ~~serve as an acting appointee to any office to which appointment~~
11 ~~requires the advice and consent of the Senate shall not~~
12 ~~continue in office longer than 60 calendar days after August~~
13 ~~26, 2011 unless the Governor has filed a message with the~~
14 ~~Secretary of the Senate nominating that person to fill that~~
15 ~~office on or before that 60 days. After that 60 days, each such~~
16 ~~office is considered vacant and shall be filled only pursuant~~
17 ~~to the law applicable to making appointments to that office,~~
18 ~~subject to the provisions of this Section. No person who has~~
19 ~~been designated by the Governor to serve as an acting appointee~~
20 ~~to any office to which appointment requires the advice and~~
21 ~~consent of the Senate shall, except at the Senate's request, be~~
22 ~~designated again as an acting appointee for that office at the~~
23 ~~same session of that Senate, subject to the provisions of this~~
24 ~~Section.~~

25 During the term of a General Assembly, the Governor may not
26 designate a person to serve as an acting appointee to any

1 office to which appointment requires the advice and consent of
2 the Senate if that person's nomination to serve as the
3 appointee for the same office was rejected by the Senate of the
4 same General Assembly.

5 For the purposes of this subsection (c), "acting appointee"
6 means a person designated by the Governor to serve as an acting
7 director or acting secretary pursuant to Section 5-605 of the
8 Civil Administrative Code of Illinois. "Acting appointee" also
9 means a person designated by the Governor pursuant to any other
10 statute to serve as an acting holder of any office, to execute
11 the duties and functions of any office, or both.

12 (d) The provisions of this Section apply notwithstanding
13 any law to the contrary. However, the provisions of this
14 Section do not apply to appointments made under Article 1A of
15 the Election Code or to the appointment of any person to serve
16 as Director of the Illinois Power Agency.

17 (Source: P.A. 97-582, eff. 8-26-11; 97-719, eff. 6-29-12.)

18 Section 10. The State Officials and Employees Ethics Act is
19 amended by changing Sections 1-5, 5-5, 20-5, 25-5, and 25-10 as
20 follows:

21 (5 ILCS 430/1-5)

22 Sec. 1-5. Definitions. As used in this Act:

23 "Appointee" means a person appointed to a position in or
24 with a State agency, regardless of whether the position is

1 compensated.

2 "Board members of Regional Transit Boards" means any person
3 appointed to serve on the governing board of a Regional Transit
4 Board.

5 "Campaign for elective office" means any activity in
6 furtherance of an effort to influence the selection,
7 nomination, election, or appointment of any individual to any
8 federal, State, or local public office or office in a political
9 organization, or the selection, nomination, or election of
10 Presidential or Vice-Presidential electors, but does not
11 include activities (i) relating to the support or opposition of
12 any executive, legislative, or administrative action (as those
13 terms are defined in Section 2 of the Lobbyist Registration
14 Act), (ii) relating to collective bargaining, or (iii) that are
15 otherwise in furtherance of the person's official State duties.

16 "Candidate" means a person who has filed nominating papers
17 or petitions for nomination or election to an elected State
18 office, or who has been appointed to fill a vacancy in
19 nomination, and who remains eligible for placement on the
20 ballot at either a general primary election or general
21 election.

22 "Collective bargaining" has the same meaning as that term
23 is defined in Section 3 of the Illinois Public Labor Relations
24 Act.

25 "Commission" means an ethics commission created by this
26 Act.

1 "Compensated time" means any time worked by or credited to
2 a State employee that counts toward any minimum work time
3 requirement imposed as a condition of employment with a State
4 agency, but does not include any designated State holidays or
5 any period when the employee is on a leave of absence.

6 "Compensatory time off" means authorized time off earned by
7 or awarded to a State employee to compensate in whole or in
8 part for time worked in excess of the minimum work time
9 required of that employee as a condition of employment with a
10 State agency.

11 "Contribution" has the same meaning as that term is defined
12 in Section 9-1.4 of the Election Code.

13 "Employee" means (i) any person employed full-time,
14 part-time, or pursuant to a contract and whose employment
15 duties are subject to the direction and control of an employer
16 with regard to the material details of how the work is to be
17 performed or (ii) any appointed or elected commissioner,
18 trustee, director, or board member of a board of a State
19 agency, including any retirement system or investment board
20 subject to the Illinois Pension Code or (iii) any other
21 appointee.

22 "Employment benefits" include but are not limited to the
23 following: modified compensation or benefit terms; compensated
24 time off; or change of title, job duties, or location of office
25 or employment. An employment benefit may also include favorable
26 treatment in determining whether to bring any disciplinary or

1 similar action or favorable treatment during the course of any
2 disciplinary or similar action or other performance review.

3 "Executive branch constitutional officer" means the
4 Governor, Lieutenant Governor, Attorney General, Secretary of
5 State, Comptroller, and Treasurer.

6 "Gift" means any gratuity, discount, entertainment,
7 hospitality, loan, forbearance, or other tangible or
8 intangible item having monetary value including, but not
9 limited to, cash, food and drink, and honoraria for speaking
10 engagements related to or attributable to government
11 employment or the official position of an employee, member, or
12 officer. The value of a gift may be further defined by rules
13 adopted by the appropriate ethics commission or by the Auditor
14 General for the Auditor General and for employees of the office
15 of the Auditor General.

16 "Governmental entity" means a unit of local government
17 (including a community college district) or a school district
18 but not a State agency or a Regional Transit Board.

19 "Leave of absence" means any period during which a State
20 employee does not receive (i) compensation for State
21 employment, (ii) service credit towards State pension
22 benefits, and (iii) health insurance benefits paid for by the
23 State.

24 "Legislative branch constitutional officer" means a member
25 of the General Assembly and the Auditor General.

26 "Legislative leader" means the President and Minority

1 Leader of the Senate and the Speaker and Minority Leader of the
2 House of Representatives.

3 "Member" means a member of the General Assembly.

4 "Officer" means an executive branch constitutional officer
5 or a legislative branch constitutional officer.

6 "Political" means any activity in support of or in
7 connection with any campaign for elective office or any
8 political organization, but does not include activities (i)
9 relating to the support or opposition of any executive,
10 legislative, or administrative action (as those terms are
11 defined in Section 2 of the Lobbyist Registration Act), (ii)
12 relating to collective bargaining, or (iii) that are otherwise
13 in furtherance of the person's official State duties or
14 governmental and public service functions.

15 "Political organization" means a party, committee,
16 association, fund, or other organization (whether or not
17 incorporated) that is required to file a statement of
18 organization with the State Board of Elections or a county
19 clerk under Section 9-3 of the Election Code, but only with
20 regard to those activities that require filing with the State
21 Board of Elections or a county clerk.

22 "Prohibited political activity" means:

23 (1) Preparing for, organizing, or participating in any
24 political meeting, political rally, political
25 demonstration, or other political event.

26 (2) Soliciting contributions, including but not

1 limited to the purchase of, selling, distributing, or
2 receiving payment for tickets for any political
3 fundraiser, political meeting, or other political event.

4 (3) Soliciting, planning the solicitation of, or
5 preparing any document or report regarding any thing of
6 value intended as a campaign contribution.

7 (4) Planning, conducting, or participating in a public
8 opinion poll in connection with a campaign for elective
9 office or on behalf of a political organization for
10 political purposes or for or against any referendum
11 question.

12 (5) Surveying or gathering information from potential
13 or actual voters in an election to determine probable vote
14 outcome in connection with a campaign for elective office
15 or on behalf of a political organization for political
16 purposes or for or against any referendum question.

17 (6) Assisting at the polls on election day on behalf of
18 any political organization or candidate for elective
19 office or for or against any referendum question.

20 (7) Soliciting votes on behalf of a candidate for
21 elective office or a political organization or for or
22 against any referendum question or helping in an effort to
23 get voters to the polls.

24 (8) Initiating for circulation, preparing,
25 circulating, reviewing, or filing any petition on behalf of
26 a candidate for elective office or for or against any

1 referendum question.

2 (9) Making contributions on behalf of any candidate for
3 elective office in that capacity or in connection with a
4 campaign for elective office.

5 (10) Preparing or reviewing responses to candidate
6 questionnaires in connection with a campaign for elective
7 office or on behalf of a political organization for
8 political purposes.

9 (11) Distributing, preparing for distribution, or
10 mailing campaign literature, campaign signs, or other
11 campaign material on behalf of any candidate for elective
12 office or for or against any referendum question.

13 (12) Campaigning for any elective office or for or
14 against any referendum question.

15 (13) Managing or working on a campaign for elective
16 office or for or against any referendum question.

17 (14) Serving as a delegate, alternate, or proxy to a
18 political party convention.

19 (15) Participating in any recount or challenge to the
20 outcome of any election, except to the extent that under
21 subsection (d) of Section 6 of Article IV of the Illinois
22 Constitution each house of the General Assembly shall judge
23 the elections, returns, and qualifications of its members.

24 "Prohibited source" means any person or entity who:

25 (1) is seeking official action (i) by the member or
26 officer or (ii) in the case of an employee, by the employee

1 or by the member, officer, State agency, or other employee
2 directing the employee;

3 (2) does business or seeks to do business (i) with the
4 member or officer or (ii) in the case of an employee, with
5 the employee or with the member, officer, State agency, or
6 other employee directing the employee;

7 (3) conducts activities regulated (i) by the member or
8 officer or (ii) in the case of an employee, by the employee
9 or by the member, officer, State agency, or other employee
10 directing the employee;

11 (4) has interests that may be substantially affected by
12 the performance or non-performance of the official duties
13 of the member, officer, or employee;

14 (5) is registered or required to be registered with the
15 Secretary of State under the Lobbyist Registration Act,
16 except that an entity not otherwise a prohibited source
17 does not become a prohibited source merely because a
18 registered lobbyist is one of its members or serves on its
19 board of directors; or

20 (6) is an agent of, a spouse of, or an immediate family
21 member who is living with a "prohibited source".

22 "Regional Transit Boards" means (i) the Regional
23 Transportation Authority created by the Regional
24 Transportation Authority Act, (ii) the Suburban Bus Division
25 created by the Regional Transportation Authority Act, (iii) the
26 Commuter Rail Division created by the Regional Transportation

1 Authority Act, and (iv) the Chicago Transit Authority created
2 by the Metropolitan Transit Authority Act.

3 "State agency" includes all officers, boards, commissions
4 and agencies created by the Constitution, whether in the
5 executive or legislative branch; all officers, departments,
6 boards, commissions, agencies, institutions, authorities,
7 public institutions of higher learning as defined in Section 2
8 of the Higher Education Cooperation Act (except community
9 colleges), and bodies politic and corporate of the State; and
10 administrative units or corporate outgrowths of the State
11 government which are created by or pursuant to statute, other
12 than units of local government (including community college
13 districts) and their officers, school districts, and boards of
14 election commissioners; and all administrative units and
15 corporate outgrowths of the above and as may be created by
16 executive order of the Governor. "State agency" includes the
17 General Assembly, the Senate, the House of Representatives, the
18 President and Minority Leader of the Senate, the Speaker and
19 Minority Leader of the House of Representatives, ~~the Senate~~
20 ~~Operations Commission,~~ and the legislative support services
21 agencies. "State agency" includes the Office of the Auditor
22 General. "State agency" does not include the judicial branch.

23 "State employee" means any employee of a State agency.

24 "Ultimate jurisdictional authority" means the following:

25 (1) For members, legislative partisan staff, and
26 legislative secretaries, the appropriate legislative

1 leader: President of the Senate, Minority Leader of the
2 Senate, Speaker of the House of Representatives, or
3 Minority Leader of the House of Representatives.

4 (2) For State employees who are professional staff or
5 employees of the Senate and not covered under item (1), the
6 President of the Senate Operations Commission.

7 (3) For State employees who are professional staff or
8 employees of the House of Representatives and not covered
9 under item (1), the Speaker of the House of
10 Representatives.

11 (4) For State employees who are employees of the
12 legislative support services agencies, the Joint Committee
13 on Legislative Support Services.

14 (5) For State employees of the Auditor General, the
15 Auditor General.

16 (6) For State employees of public institutions of
17 higher learning as defined in Section 2 of the Higher
18 Education Cooperation Act (except community colleges), the
19 board of trustees of the appropriate public institution of
20 higher learning.

21 (7) For State employees of an executive branch
22 constitutional officer other than those described in
23 paragraph (6), the appropriate executive branch
24 constitutional officer.

25 (8) For State employees not under the jurisdiction of
26 paragraph (1), (2), (3), (4), (5), (6), or (7), the

1 Governor.

2 (9) For employees of Regional Transit Boards, the
3 appropriate Regional Transit Board.

4 (10) For board members of Regional Transit Boards, the
5 Governor.

6 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09; 96-1528,
7 eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff. 7-13-12.)

8 (5 ILCS 430/5-5)

9 Sec. 5-5. Personnel policies.

10 (a) Each of the following shall adopt and implement
11 personnel policies for all State employees under his, her, or
12 its jurisdiction and control: (i) each executive branch
13 constitutional officer, (ii) each legislative leader, (iii)
14 the President of the Senate Operations Commission, with respect
15 to legislative employees under Section 4 of the General
16 Assembly Operations Act, (iv) the Speaker of the House of
17 Representatives, with respect to legislative employees under
18 Section 5 of the General Assembly Operations Act, (v) the Joint
19 Committee on Legislative Support Services, with respect to
20 State employees of the legislative support services agencies,
21 (vi) members of the General Assembly, with respect to
22 legislative assistants, as provided in Section 4 of the General
23 Assembly Compensation Act, (vii) the Auditor General, (viii)
24 the Board of Higher Education, with respect to State employees
25 of public institutions of higher learning except community

1 colleges, and (ix) the Illinois Community College Board, with
2 respect to State employees of community colleges. The Governor
3 shall adopt and implement those policies for all State
4 employees of the executive branch not under the jurisdiction
5 and control of any other executive branch constitutional
6 officer.

7 (b) The policies required under subsection (a) shall be
8 filed with the appropriate ethics commission established under
9 this Act or, for the Auditor General, with the Office of the
10 Auditor General.

11 (c) The policies required under subsection (a) shall
12 include policies relating to work time requirements,
13 documentation of time worked, documentation for reimbursement
14 for travel on official State business, compensation, and the
15 earning or accrual of State benefits for all State employees
16 who may be eligible to receive those benefits. The policies
17 shall comply with and be consistent with all other applicable
18 laws. The policies shall require State employees to
19 periodically submit time sheets documenting the time spent each
20 day on official State business to the nearest quarter hour;
21 contractual State employees may satisfy the time sheets
22 requirement by complying with the terms of their contract,
23 which shall provide for a means of compliance with this
24 requirement. The policies for State employees shall require
25 those time sheets to be submitted on paper, electronically, or
26 both and to be maintained in either paper or electronic format

1 by the applicable fiscal office for a period of at least 2
2 years.

3 (d) The policies required under subsection (a) shall be
4 adopted by the applicable entity before February 1, 2004 and
5 shall apply to State employees beginning 30 days after
6 adoption.

7 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

8 (5 ILCS 430/20-5)

9 Sec. 20-5. Executive Ethics Commission.

10 (a) The Executive Ethics Commission is created.

11 (b) The Executive Ethics Commission shall consist of 9
12 commissioners. The Governor shall appoint 5 commissioners, and
13 the Attorney General, Secretary of State, Comptroller, and
14 Treasurer shall each appoint one commissioner. Appointments
15 shall be made by and with the advice and consent of the Senate
16 by three-fifths of the elected members concurring by record
17 vote. Any nomination not acted upon by the Senate within 60
18 session days of the receipt thereof shall be deemed to have
19 received the advice and consent of the Senate. If, during a
20 recess of the Senate, there is a vacancy in an office of
21 commissioner, the appointing authority shall make a temporary
22 appointment until the next meeting of the Senate when the
23 appointing authority shall make a nomination to fill that
24 office. No person rejected for an office of commissioner shall,
25 except by the Senate's request, be nominated again for that

1 office at the same session of the Senate or be appointed to
2 that office during a recess of that Senate. No more than 5
3 commissioners may be of the same political party.

4 The terms of the initial commissioners shall commence upon
5 qualification. Four initial appointees of the Governor, as
6 designated by the Governor, shall serve terms running through
7 June 30, 2007. One initial appointee of the Governor, as
8 designated by the Governor, and the initial appointees of the
9 Attorney General, Secretary of State, Comptroller, and
10 Treasurer shall serve terms running through June 30, 2008. The
11 initial appointments shall be made within 60 days after the
12 effective date of this Act.

13 After the initial terms, commissioners shall serve for
14 4-year terms commencing on July 1 of the year of appointment
15 and running through June 30 of the fourth following year.
16 Commissioners may be reappointed to one or more subsequent
17 terms.

18 Vacancies occurring other than at the end of a term shall
19 be filled by the appointing authority only for the balance of
20 the term of the commissioner whose office is vacant.

21 Terms shall run regardless of whether the position is
22 filled.

23 (c) The appointing authorities shall appoint commissioners
24 who have experience holding governmental office or employment
25 and shall appoint commissioners from the general public. A
26 person is not eligible to serve as a commissioner if that

1 person (i) has been convicted of a felony or a crime of
2 dishonesty or moral turpitude, (ii) is, or was within the
3 preceding 12 months, engaged in activities that require
4 registration under the Lobbyist Registration Act, (iii) is
5 related to the appointing authority, or (iv) is a State officer
6 or employee.

7 (d) The Executive Ethics Commission shall have
8 jurisdiction over all officers and employees of State agencies
9 other than the General Assembly, the Senate, the House of
10 Representatives, the President and Minority Leader of the
11 Senate, the Speaker and Minority Leader of the House of
12 Representatives, ~~the Senate Operations Commission,~~ the
13 legislative support services agencies, and the Office of the
14 Auditor General. The Executive Ethics Commission shall have
15 jurisdiction over all board members and employees of Regional
16 Transit Boards. The jurisdiction of the Commission is limited
17 to matters arising under this Act, except as provided in
18 subsection (d-5).

19 A member or legislative branch State employee serving on an
20 executive branch board or commission remains subject to the
21 jurisdiction of the Legislative Ethics Commission and is not
22 subject to the jurisdiction of the Executive Ethics Commission.

23 (d-5) The Executive Ethics Commission shall have
24 jurisdiction over all chief procurement officers and
25 procurement compliance monitors and their respective staffs.
26 The Executive Ethics Commission shall have jurisdiction over

1 any matters arising under the Illinois Procurement Code if the
2 Commission is given explicit authority in that Code.

3 (d-6) (1) The Executive Ethics Commission shall have
4 jurisdiction over the Illinois Power Agency and its staff. The
5 Director of the Agency shall be appointed by a majority of the
6 commissioners of the Executive Ethics Commission, subject to
7 Senate confirmation, for a term of 2 years. The Director is
8 removable for cause by a majority of the Commission upon a
9 finding of neglect, malfeasance, absence, or incompetence.

10 (2) In case of a vacancy in the office of Director of the
11 Illinois Power Agency during a recess of the Senate, the
12 Executive Ethics Commission may make a temporary appointment
13 until the next meeting of the Senate, at which time the
14 Executive Ethics Commission shall nominate some person to fill
15 the office, and any person so nominated who is confirmed by the
16 Senate shall hold office during the remainder of the term and
17 until his or her successor is appointed and qualified. Nothing
18 in this subsection shall prohibit the Executive Ethics
19 Commission from removing a temporary appointee or from
20 appointing a temporary appointee as the Director of the
21 Illinois Power Agency.

22 (3) Prior to June 1, 2012, the Executive Ethics Commission
23 may, until the Director of the Illinois Power Agency is
24 appointed and qualified or a temporary appointment is made
25 pursuant to paragraph (2) of this subsection, designate some
26 person as an acting Director to execute the powers and

1 discharge the duties vested by law in that Director. An acting
2 Director shall serve no later than 60 calendar days, or upon
3 the making of an appointment pursuant to paragraph (1) or (2)
4 of this subsection, whichever is earlier. Nothing in this
5 subsection shall prohibit the Executive Ethics Commission from
6 removing an acting Director or from appointing an acting
7 Director as the Director of the Illinois Power Agency.

8 (4) No person rejected by the Senate for the office of
9 Director of the Illinois Power Agency shall, except at the
10 Senate's request, be nominated again for that office at the
11 same session or be appointed to that office during a recess of
12 that Senate.

13 (e) The Executive Ethics Commission must meet, either in
14 person or by other technological means, at least monthly and as
15 often as necessary. At the first meeting of the Executive
16 Ethics Commission, the commissioners shall choose from their
17 number a chairperson and other officers that they deem
18 appropriate. The terms of officers shall be for 2 years
19 commencing July 1 and running through June 30 of the second
20 following year. Meetings shall be held at the call of the
21 chairperson or any 3 commissioners. Official action by the
22 Commission shall require the affirmative vote of 5
23 commissioners, and a quorum shall consist of 5 commissioners.
24 Commissioners shall receive compensation in an amount equal to
25 the compensation of members of the State Board of Elections and
26 may be reimbursed for their reasonable expenses actually

1 incurred in the performance of their duties.

2 (f) No commissioner or employee of the Executive Ethics
3 Commission may during his or her term of appointment or
4 employment:

5 (1) become a candidate for any elective office;

6 (2) hold any other elected or appointed public office
7 except for appointments on governmental advisory boards or
8 study commissions or as otherwise expressly authorized by
9 law;

10 (3) be actively involved in the affairs of any
11 political party or political organization; or

12 (4) advocate for the appointment of another person to
13 an appointed or elected office or position or actively
14 participate in any campaign for any elective office.

15 (g) An appointing authority may remove a commissioner only
16 for cause.

17 (h) The Executive Ethics Commission shall appoint an
18 Executive Director. The compensation of the Executive Director
19 shall be as determined by the Commission. The Executive
20 Director of the Executive Ethics Commission may employ and
21 determine the compensation of staff, as appropriations permit.

22 (i) The Executive Ethics Commission shall appoint, by a
23 majority of the members appointed to the Commission, chief
24 procurement officers and procurement compliance monitors in
25 accordance with the provisions of the Illinois Procurement
26 Code. The compensation of a chief procurement officer and

1 procurement compliance monitor shall be determined by the
2 Commission.

3 (Source: P.A. 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11;
4 97-618, eff. 10-26-11; 97-677, eff. 2-6-12.)

5 (5 ILCS 430/25-5)

6 Sec. 25-5. Legislative Ethics Commission.

7 (a) The Legislative Ethics Commission is created.

8 (b) The Legislative Ethics Commission shall consist of 8
9 commissioners appointed 2 each by the President and Minority
10 Leader of the Senate and the Speaker and Minority Leader of the
11 House of Representatives.

12 The terms of the initial commissioners shall commence upon
13 qualification. Each appointing authority shall designate one
14 appointee who shall serve for a 2-year term running through
15 June 30, 2005. Each appointing authority shall designate one
16 appointee who shall serve for a 4-year term running through
17 June 30, 2007. The initial appointments shall be made within 60
18 days after the effective date of this Act.

19 After the initial terms, commissioners shall serve for
20 4-year terms commencing on July 1 of the year of appointment
21 and running through June 30 of the fourth following year.
22 Commissioners may be reappointed to one or more subsequent
23 terms.

24 Vacancies occurring other than at the end of a term shall
25 be filled by the appointing authority only for the balance of

1 the term of the commissioner whose office is vacant.

2 Terms shall run regardless of whether the position is
3 filled.

4 (c) The appointing authorities shall appoint commissioners
5 who have experience holding governmental office or employment
6 and may appoint commissioners who are members of the General
7 Assembly as well as commissioners from the general public. A
8 commissioner who is a member of the General Assembly must
9 recuse himself or herself from participating in any matter
10 relating to any investigation or proceeding in which he or she
11 is the subject. A person is not eligible to serve as a
12 commissioner if that person (i) has been convicted of a felony
13 or a crime of dishonesty or moral turpitude, (ii) is, or was
14 within the preceding 12 months, engaged in activities that
15 require registration under the Lobbyist Registration Act,
16 (iii) is a relative of the appointing authority, or (iv) is a
17 State officer or employee other than a member of the General
18 Assembly.

19 (d) The Legislative Ethics Commission shall have
20 jurisdiction over members of the General Assembly and all State
21 employees whose ultimate jurisdictional authority is (i) a
22 legislative leader, (ii) (blank) ~~the Senate Operations~~
23 ~~Commission~~, or (iii) the Joint Committee on Legislative Support
24 Services. The jurisdiction of the Commission is limited to
25 matters arising under this Act.

26 An officer or executive branch State employee serving on a

1 legislative branch board or commission remains subject to the
2 jurisdiction of the Executive Ethics Commission and is not
3 subject to the jurisdiction of the Legislative Ethics
4 Commission.

5 (e) The Legislative Ethics Commission must meet, either in
6 person or by other technological means, monthly or as often as
7 necessary. At the first meeting of the Legislative Ethics
8 Commission, the commissioners shall choose from their number a
9 chairperson and other officers that they deem appropriate. The
10 terms of officers shall be for 2 years commencing July 1 and
11 running through June 30 of the second following year. Meetings
12 shall be held at the call of the chairperson or any 3
13 commissioners. Official action by the Commission shall require
14 the affirmative vote of 5 commissioners, and a quorum shall
15 consist of 5 commissioners. Commissioners shall receive no
16 compensation but may be reimbursed for their reasonable
17 expenses actually incurred in the performance of their duties.

18 (f) No commissioner, other than a commissioner who is a
19 member of the General Assembly, or employee of the Legislative
20 Ethics Commission may during his or her term of appointment or
21 employment:

22 (1) become a candidate for any elective office;

23 (2) hold any other elected or appointed public office
24 except for appointments on governmental advisory boards or
25 study commissions or as otherwise expressly authorized by
26 law;

1 (3) be actively involved in the affairs of any
2 political party or political organization; or

3 (4) advocate for the appointment of another person to
4 an appointed or elected office or position or actively
5 participate in any campaign for any elective office.

6 (g) An appointing authority may remove a commissioner only
7 for cause.

8 (h) The Legislative Ethics Commission shall appoint an
9 Executive Director subject to the approval of at least 3 of the
10 4 legislative leaders. The compensation of the Executive
11 Director shall be as determined by the Commission. The
12 Executive Director of the Legislative Ethics Commission may
13 employ, subject to the approval of at least 3 of the 4
14 legislative leaders, and determine the compensation of staff,
15 as appropriations permit.

16 (Source: P.A. 96-555, eff. 8-18-09.)

17 (5 ILCS 430/25-10)

18 Sec. 25-10. Office of Legislative Inspector General.

19 (a) The independent Office of the Legislative Inspector
20 General is created. The Office shall be under the direction and
21 supervision of the Legislative Inspector General and shall be a
22 fully independent office with its own appropriation.

23 (b) The Legislative Inspector General shall be appointed
24 without regard to political affiliation and solely on the basis
25 of integrity and demonstrated ability. The Legislative Ethics

1 Commission shall diligently search out qualified candidates
2 for Legislative Inspector General and shall make
3 recommendations to the General Assembly.

4 The Legislative Inspector General shall be appointed by a
5 joint resolution of the Senate and the House of
6 Representatives, which may specify the date on which the
7 appointment takes effect. A joint resolution, or other document
8 as may be specified by the Joint Rules of the General Assembly,
9 appointing the Legislative Inspector General must be certified
10 by the Speaker of the House of Representatives and the
11 President of the Senate as having been adopted by the
12 affirmative vote of three-fifths of the members elected to each
13 house, respectively, and be filed with the Secretary of State.
14 The appointment of the Legislative Inspector General takes
15 effect on the day the appointment is completed by the General
16 Assembly, unless the appointment specifies a later date on
17 which it is to become effective.

18 The Legislative Inspector General shall have the following
19 qualifications:

20 (1) has not been convicted of any felony under the laws
21 of this State, another state, or the United States;

22 (2) has earned a baccalaureate degree from an
23 institution of higher education; and

24 (3) has 5 or more years of cumulative service (A) with
25 a federal, State, or local law enforcement agency, at least
26 2 years of which have been in a progressive investigatory

1 capacity; (B) as a federal, State, or local prosecutor; (C)
2 as a senior manager or executive of a federal, State, or
3 local agency; (D) as a member, an officer, or a State or
4 federal judge; or (E) representing any combination of (A)
5 through (D).

6 The Legislative Inspector General may not be a relative of
7 a commissioner.

8 The term of the initial Legislative Inspector General shall
9 commence upon qualification and shall run through June 30,
10 2008.

11 After the initial term, the Legislative Inspector General
12 shall serve for 5-year terms commencing on July 1 of the year
13 of appointment and running through June 30 of the fifth
14 following year. The Legislative Inspector General may be
15 reappointed to one or more subsequent terms.

16 A vacancy occurring other than at the end of a term shall
17 be filled in the same manner as an appointment only for the
18 balance of the term of the Legislative Inspector General whose
19 office is vacant.

20 Terms shall run regardless of whether the position is
21 filled.

22 (c) The Legislative Inspector General shall have
23 jurisdiction over the members of the General Assembly and all
24 State employees whose ultimate jurisdictional authority is (i)
25 a legislative leader, (ii) (blank) ~~the Senate Operations~~
26 ~~Commission~~, or (iii) the Joint Committee on Legislative Support

1 Services.

2 The jurisdiction of each Legislative Inspector General is
3 to investigate allegations of fraud, waste, abuse,
4 mismanagement, misconduct, nonfeasance, misfeasance,
5 malfeasance, or violations of this Act or violations of other
6 related laws and rules.

7 (d) The compensation of the Legislative Inspector General
8 shall be the greater of an amount (i) determined by the
9 Commission or (ii) by joint resolution of the General Assembly
10 passed by a majority of members elected in each chamber.
11 Subject to Section 25-45 of this Act, the Legislative Inspector
12 General has full authority to organize the Office of the
13 Legislative Inspector General, including the employment and
14 determination of the compensation of staff, such as deputies,
15 assistants, and other employees, as appropriations permit.
16 Employment of staff is subject to the approval of at least 3 of
17 the 4 legislative leaders.

18 (e) No Legislative Inspector General or employee of the
19 Office of the Legislative Inspector General may, during his or
20 her term of appointment or employment:

21 (1) become a candidate for any elective office;

22 (2) hold any other elected or appointed public office
23 except for appointments on governmental advisory boards or
24 study commissions or as otherwise expressly authorized by
25 law;

26 (3) be actively involved in the affairs of any

1 political party or political organization; or

2 (4) actively participate in any campaign for any
3 elective office.

4 In this subsection an appointed public office means a
5 position authorized by law that is filled by an appointing
6 authority as provided by law and does not include employment by
7 hiring in the ordinary course of business.

8 (e-1) No Legislative Inspector General or employee of the
9 Office of the Legislative Inspector General may, for one year
10 after the termination of his or her appointment or employment:

11 (1) become a candidate for any elective office;

12 (2) hold any elected public office; or

13 (3) hold any appointed State, county, or local judicial
14 office.

15 (e-2) The requirements of item (3) of subsection (e-1) may
16 be waived by the Legislative Ethics Commission.

17 (f) The Commission may remove the Legislative Inspector
18 General only for cause. At the time of the removal, the
19 Commission must report to the General Assembly the
20 justification for the removal.

21 (Source: P.A. 93-617, eff. 12-9-03; 93-685, eff. 7-8-04.)

22 Section 15. The Personnel Code is amended by changing
23 Section 9 as follows:

24 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

1 Sec. 9. Director, powers and duties. The Director, as
2 executive head of the Department, shall direct and supervise
3 all its administrative and technical activities. In addition to
4 the duties imposed upon him elsewhere in this law, it shall be
5 his duty:

6 (1) To apply and carry out this law and the rules adopted
7 thereunder.

8 (2) To attend meetings of the Commission.

9 (3) To establish and maintain a roster of all employees
10 subject to this Act, in which there shall be set forth, as to
11 each employee, the class, title, pay, status, and other
12 pertinent data.

13 (4) To appoint, subject to the provisions of this Act, such
14 employees of the Department and such experts and special
15 assistants as may be necessary to carry out effectively this
16 law.

17 (5) Subject to such exemptions or modifications as may be
18 necessary to assure the continuity of federal contributions in
19 those agencies supported in whole or in part by federal funds,
20 to make appointments to vacancies; to approve all written
21 charges seeking discharge, demotion, or other disciplinary
22 measures provided in this Act and to approve transfers of
23 employees from one geographical area to another in the State,
24 in offices, positions or places of employment covered by this
25 Act, after consultation with the operating unit.

26 (6) To formulate and administer service wide policies and

1 programs for the improvement of employee effectiveness,
2 including training, safety, health, incentive recognition,
3 counseling, welfare and employee relations. The Department
4 shall formulate and administer recruitment plans and testing of
5 potential employees for agencies having direct contact with
6 significant numbers of non-English speaking or otherwise
7 culturally distinct persons. The Department shall require each
8 State agency to annually assess the need for employees with
9 appropriate bilingual capabilities to serve the significant
10 numbers of non-English speaking or culturally distinct
11 persons. The Department shall develop a uniform procedure for
12 assessing an agency's need for employees with appropriate
13 bilingual capabilities. Agencies shall establish occupational
14 titles or designate positions as "bilingual option" for persons
15 having sufficient linguistic ability or cultural knowledge to
16 be able to render effective service to such persons. The
17 Department shall ensure that any such option is exercised
18 according to the agency's needs assessment and the requirements
19 of this Code. The Department shall make annual reports of the
20 needs assessment of each agency and the number of positions
21 calling for non-English linguistic ability to whom vacancy
22 postings were sent, and the number filled by each agency. Such
23 policies and programs shall be subject to approval by the
24 Governor. Such policies, program reports and needs assessment
25 reports shall be filed with the General Assembly by January 1
26 of each year and shall be available to the public.

1 The Department shall include within the report required
2 above the number of persons receiving the bilingual pay
3 supplement established by Section 8a.2 of this Code. The report
4 shall provide the number of persons receiving the bilingual pay
5 supplement for languages other than English and for signing.
6 The report shall also indicate the number of persons, by the
7 categories of Hispanic and non-Hispanic, who are receiving the
8 bilingual pay supplement for language skills other than
9 signing, in a language other than English.

10 (7) To conduct negotiations affecting pay, hours of work,
11 or other working conditions of employees subject to this Act.

12 (8) To make continuing studies to improve the efficiency of
13 State services to the residents of Illinois, including but not
14 limited to those who are non-English speaking or culturally
15 distinct, and to report his findings and recommendations to the
16 Commission and the Governor.

17 (9) To investigate from time to time the operation and
18 effect of this law and the rules made thereunder and to report
19 his findings and recommendations to the Commission and to the
20 Governor.

21 (10) To make an annual report regarding the work of the
22 Department, and such special reports as he may consider
23 desirable, to the Commission and to the Governor, or as the
24 Governor or Commission may request.

25 (11) (Blank). ~~To conduct research and planning regarding~~
26 ~~the total manpower needs of all offices, including the~~

1 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~
2 ~~State Comptroller, State Superintendent of Education, and~~
3 ~~Attorney General, and of all departments, agencies, boards, and~~
4 ~~commissions of the executive branch, except state-supported~~
5 ~~colleges and universities, and for that purpose to prescribe~~
6 ~~forms for the reporting of such personnel information as the~~
7 ~~department may request both for positions covered by this Act~~
8 ~~and for those exempt in whole or in part.~~

9 (12) To prepare and publish a semi-annual statement showing
10 the number of employees exempt and non-exempt from merit
11 selection in each department. This report shall be in addition
12 to other information on merit selection maintained for public
13 information under existing law.

14 (13) To authorize in every department or agency subject to
15 Jurisdiction C the use of flexible hours positions. A flexible
16 hours position is one that does not require an ordinary work
17 schedule as determined by the Department and includes but is
18 not limited to: 1) a part time job of 20 hours or more per week,
19 2) a job which is shared by 2 employees or a compressed work
20 week consisting of an ordinary number of working hours
21 performed on fewer than the number of days ordinarily required
22 to perform that job. The Department may define flexible time to
23 include other types of jobs that are defined above.

24 The Director and the director of each department or agency
25 shall together establish goals for flexible hours positions to
26 be available in every department or agency.

1 The Department shall give technical assistance to
2 departments and agencies in achieving their goals, and shall
3 report to the Governor and the General Assembly each year on
4 the progress of each department and agency.

5 When a goal of 10% of the positions in a department or
6 agency being available on a flexible hours basis has been
7 reached, the Department shall evaluate the effectiveness and
8 efficiency of the program and determine whether to expand the
9 number of positions available for flexible hours to 20%.

10 When a goal of 20% of the positions in a department or
11 agency being available on a flexible hours basis has been
12 reached, the Department shall evaluate the effectiveness and
13 efficiency of the program and determine whether to expand the
14 number of positions available for flexible hours.

15 Each department shall develop a plan for implementation of
16 flexible work requirements designed to reduce the need for day
17 care of employees' children outside the home. Each department
18 shall submit a report of its plan to the Department of Central
19 Management Services and the General Assembly. This report shall
20 be submitted biennially by March 1, with the first report due
21 March 1, 1993.

22 (14) To perform any other lawful acts which he may consider
23 necessary or desirable to carry out the purposes and provisions
24 of this law.

25 The requirement for reporting to the General Assembly shall
26 be satisfied by filing copies of the report with the Speaker,

1 the Minority Leader and the Clerk of the House of
2 Representatives and the President, the Minority Leader and the
3 Secretary of the Senate and the Legislative Research Unit, as
4 required by Section 3.1 of "An Act to revise the law in
5 relation to the General Assembly", approved February 25, 1874,
6 as amended, and filing such additional copies with the State
7 Government Report Distribution Center for the General Assembly
8 as is required under paragraph (t) of Section 7 of the State
9 Library Act.

10 (Source: P.A. 86-1004; 87-552; 87-1050.)

11 (20 ILCS 605/605-345 rep.)

12 Section 20. The Department of Commerce and Economic
13 Opportunity Law of the Civil Administrative Code of Illinois is
14 amended by repealing Section 605-345.

15 Section 25. The Illinois Commission on Volunteerism and
16 Community Service Act is amended by changing Sections 1, 2, 4,
17 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

18 (20 ILCS 710/1) (from Ch. 127, par. 3801)

19 Sec. 1. Creation. There is created in the Department of
20 Public Health ~~Human Services~~ the Illinois Commission on
21 Volunteerism and Community Service.

22 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/2) (from Ch. 127, par. 3802)

2 Sec. 2. Purpose. The purpose of the Illinois Commission on
3 Volunteerism and Community Service is to promote and support
4 community service in public and private programs to meet the
5 needs of Illinois residents ~~citizens~~; to stimulate new
6 volunteerism and community service initiatives and
7 partnerships; and to serve as a resource and advocate among all
8 State agencies ~~within the Department of Human Services~~ for
9 community service agencies, volunteers, and programs which
10 utilize federal, State, and private volunteers.

11 (Source: P.A. 91-798, eff. 7-9-00.)

12 (20 ILCS 710/4) (from Ch. 127, par. 3804)

13 Sec. 4. Operation. The Governor shall appoint a Director of
14 the Commission on Volunteerism and Community Service who shall
15 serve at the Governor's pleasure and who shall receive such
16 compensation as is determined by the Governor. The Director
17 shall employ such staff as is necessary to carry out the
18 purpose of this Act. The Commission, working in cooperation
19 with State agencies, individuals, local groups, and
20 organizations throughout the State, may undertake programs and
21 activities which further the purposes of this Act, including,
22 but not limited to, the following:

23 (a) providing technical assistance to programs which
24 depend upon volunteers;

25 (b) initiating community service programs to meet

1 previously unmet needs in Illinois;

2 (c) promoting and coordinating efforts to expand and
3 improve the statewide community service network;

4 (d) recognizing outstanding community service
5 accomplishments;

6 (e) disseminating information to support community
7 service programs and to broaden community service
8 involvement throughout the State;

9 (f) implementing federally funded grant programs in
10 Illinois such as the National and Community Service Trust
11 Act, as amended by the Serve America Act;—

12 (g) taking an active role in the State's emergency
13 management plan to coordinate volunteers for disaster
14 preparedness and response;

15 (h) promoting intergenerational initiatives and
16 efforts to promote inclusion among diverse populations;
17 and

18 (i) fostering an environment that promotes social
19 innovation throughout the State.

20 ~~The Commission may receive and expend funds, grants and~~
21 ~~services from any source for purposes reasonable and necessary~~
22 ~~to carry out a coordinated plan of community service throughout~~
23 ~~the State.~~

24 (Source: P.A. 91-798, eff. 7-9-00.)

25 (20 ILCS 710/4.1 new)

1 Sec. 4.1. Illinois Service Education Award Grant. The
2 Commission may, subject to appropriation, award an Illinois
3 Service Education Award Grant to recipients of a national
4 service educational award established under 42 U.S.C. 12602 and
5 awarded by the Corporation for National Community Service. The
6 grant must be awarded only as a partial matching grant. An
7 individual who successfully completes a required term of
8 full-time national service in an approved national service
9 position in this State may apply to receive an Illinois Service
10 Education Award Grant. The Commission shall adopt rules to
11 govern the process for applying for the grant and for
12 determining the amount of the grant and any other rules
13 necessary to implement and administer this Section.

14 An Illinois Service Education Award Grant may be used for
15 any of the following purposes:

16 (1) To repay student loans associated with attending an
17 Illinois institution of higher learning, as defined in the
18 Higher Education Student Assistance Act.

19 (2) To pay all or part of the cost of attendance at an
20 Illinois institution of higher learning, as defined in the
21 Higher Education Student Assistance Act.

22 (3) To pay expenses incurred in participating in an
23 approved Illinois school-to-work program.

24 (4) Any other purpose for which the national service
25 educational award may lawfully be used.

1 (20 ILCS 710/4.2 new)

2 Sec. 4.2. Receiving and expending funds. The Commission may
3 receive and expend funds, grants, and services from any source
4 for purposes reasonable and necessary to carry out a
5 coordinated plan of community service throughout the State.

6 (20 ILCS 710/5.1)

7 Sec. 5.1. Commission. The Commission is established to
8 encourage community service and volunteer participation as a
9 means of community and State problem-solving; to promote and
10 support voluntary resident ~~citizen~~ involvement in government
11 and private programs throughout the State; to develop a
12 long-term, comprehensive vision and plan of action for national
13 volunteerism and community service initiatives in Illinois;
14 and to serve as the State's liaison to national and State
15 organizations that support its mission.

16 The Commission shall consist of 15 to 25 bipartisan voting
17 members and up to 15 bipartisan nonvoting members. At least 25%
18 of the members must be from the City of Chicago.

19 The Governor shall appoint up to 25 voting members and up
20 to 15 nonvoting members. Of those initial 25 voting members, 10
21 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall
22 serve for one year. Voting members appointed by the Governor
23 shall include at least ~~one representative of~~ the following: an
24 expert in the education, training, and development needs of
25 youth; an expert in philanthropy ~~the chairman of the City~~

1 ~~Colleges of a municipality having a population of more than 2~~
2 ~~million; a representative of~~ labor organizations; a
3 representative of business; a representative of
4 community-based ~~the human services department of a~~
5 ~~municipality with a population of more than 2 million;~~
6 ~~community based~~ organizations; the State Superintendent of
7 Education; ~~the Superintendent of Police of a municipality~~
8 ~~having a population of more than 2 million;~~ a youth between 16
9 and 25 years old who is a participant or supervisor in a
10 community service program; ~~the President of a County Board of a~~
11 ~~county having a population of more than 3 million;~~ an expert in
12 older adult volunteerism; a representative of persons with
13 disabilities ~~the public health commissioner of a municipality~~
14 ~~having a population of more than 2 million;~~ a representative of
15 local government; and a representative of a national service
16 program. A representative of the federal Corporation for
17 National Service shall be appointed as a nonvoting member.

18 Appointing authorities shall ensure, to the maximum extent
19 practicable, that the Commission is diverse with respect to
20 race, ethnicity, age, gender, geography, and disability. Not
21 more than 50% of the Commission appointed by the Governor may
22 be from the same political party.

23 Subsequent voting members of the Commission shall serve
24 3-year terms. Commissioners must be allowed to serve until new
25 commissioners are appointed in order to maintain the federally
26 required number of commissioners.

1 Each nonvoting member shall serve at the pleasure of the
2 Governor.

3 Members of the Commission may not serve more than 3
4 consecutive terms. Vacancies shall be filled in the same manner
5 as the original appointments and any member so appointed shall
6 serve during the remainder of the term for which the vacancy
7 occurred. The members shall not receive any compensation but
8 shall be reimbursed for necessary expenses incurred in the
9 performance of their duties.

10 (Source: P.A. 91-798, eff. 7-9-00.)

11 (20 ILCS 710/6.1)

12 Sec. 6.1. Functions of Commission. The Commission shall
13 meet at least quarterly and shall advise and consult with the
14 Department of Public Health and the Governor's Office ~~Human~~
15 ~~Services and the Director~~ on all matters relating to community
16 service in Illinois. In addition, the Commission shall have the
17 following duties:

18 (a) prepare a 3-year State ~~national and community~~ service
19 plan, developed through an open, public process and updated
20 annually;

21 (b) prepare the financial assistance applications of the
22 State under the National and Community Service Trust Fund Act
23 of 1993, as amended by the Serve America Act;

24 (c) assist in the preparation of the application by the
25 State Board of Education for assistance under that Act;

1 (d) prepare the State's application under that Act for the
2 approval of national service positions;

3 (e) assist in the provision of health care and child care
4 benefits under that Act;

5 (f) develop a State recruitment, placement, and
6 information dissemination system for participants in programs
7 that receive assistance under the national service laws;

8 (g) administer the State's grant program including
9 selection, oversight, and evaluation of grant recipients;

10 (h) make technical assistance available to enable
11 applicants to plan and implement service programs and to apply
12 for assistance under the national service laws;

13 (i) develop projects, training methods, curriculum
14 materials, and other activities related to service;

15 (j) coordinate its functions with any division of the
16 federal Corporation for National and Community Service
17 outlined in the National and Community Service Trust Fund Act
18 of 1993, as amended by the Serve America Act.

19 (k) publicize Commission services and promote community
20 involvement in the activities of the Commission;

21 (l) promote increased visibility and support for
22 volunteers of all ages, especially youth and senior citizens,
23 and community service in meeting the needs of Illinois
24 residents ~~citizens~~; and

25 (m) represent the Department of Public Health and the
26 Governor's Office ~~Human Services~~ on such occasions and in such

1 manner as the Department may provide.

2 (Source: P.A. 91-798, eff. 7-9-00.)

3 (20 ILCS 710/7)

4 Sec. 7. Program transfer. On the effective date of this
5 amendatory Act of the 98th General Assembly ~~this amendatory Act~~
6 ~~of the 91st General Assembly~~, the authority, powers, and duties
7 in this Act of the Department of Human Services ~~Commerce and~~
8 ~~Community Affairs~~ (now Department of Commerce and Economic
9 ~~Opportunity~~) are transferred to the Department of Public Health
10 ~~Human Services~~.

11 (Source: P.A. 94-793, eff. 5-19-06.)

12 Section 30. The Energy Conservation and Coal Development
13 Act is amended by changing Section 3 as follows:

14 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

15 Sec. 3. Powers and Duties.

16 (a) In addition to its other powers, the Department has the
17 following powers:

18 (1) To administer for the State any energy programs and
19 activities under federal law, regulations or guidelines,
20 and to coordinate such programs and activities with other
21 State agencies, units of local government, and educational
22 institutions.

23 (2) To represent the State in energy matters involving

1 the federal government, other states, units of local
2 government, and regional agencies.

3 (3) To prepare energy contingency plans for
4 consideration by the Governor and the General Assembly.
5 Such plans shall include procedures for determining when a
6 foreseeable danger exists of energy shortages, including
7 shortages of petroleum, coal, nuclear power, natural gas,
8 and other forms of energy, and shall specify the actions to
9 be taken to minimize hardship and maintain the general
10 welfare during such energy shortages.

11 (4) To cooperate with State colleges and universities
12 and their governing boards in energy programs and
13 activities.

14 (5) (Blank).

15 (6) To accept, receive, expend, and administer,
16 including by contracts and grants to other State agencies,
17 any energy-related gifts, grants, cooperative agreement
18 funds, and other funds made available to the Department by
19 the federal government and other public and private
20 sources.

21 (7) To investigate practical problems, seek and
22 utilize financial assistance, implement studies and
23 conduct research relating to the production, distribution
24 and use of alcohol fuels.

25 (8) To serve as a clearinghouse for information on
26 alcohol production technology; provide assistance,

1 information and data relating to the production and use of
2 alcohol; develop informational packets and brochures, and
3 hold public seminars to encourage the development and
4 utilization of the best available technology.

5 (9) To coordinate with other State agencies in order to
6 promote the maximum flow of information and to avoid
7 unnecessary overlapping of alcohol fuel programs. In order
8 to effectuate this goal, the Director of the Department or
9 his representative shall consult with the Directors, or
10 their representatives, of the Departments of Agriculture,
11 Central Management Services, Transportation, and Revenue,
12 the Office of the State Fire Marshal, and the Environmental
13 Protection Agency.

14 (10) To operate, within the Department, an Office of
15 Coal Development and Marketing for the promotion and
16 marketing of Illinois coal both domestically and
17 internationally. The Department may use monies
18 appropriated for this purpose for necessary administrative
19 expenses.

20 The Office of Coal Development and Marketing shall
21 develop and implement an initiative to assist the coal
22 industry in Illinois to increase its share of the
23 international coal market.

24 (11) To assist the Department of Central Management
25 Services in establishing and maintaining a system to
26 analyze and report energy consumption of facilities leased

1 by the Department of Central Management Services.

2 (12) To consult with the Departments of Natural
3 Resources and Transportation and the Illinois
4 Environmental Protection Agency for the purpose of
5 developing methods and standards that encourage the
6 utilization of coal combustion by-products as value added
7 products in productive and benign applications.

8 (13) To provide technical assistance and information
9 to sellers and distributors of storage hot water heaters
10 doing business in Illinois, pursuant to Section 1 of the
11 Hot Water Heater Efficiency Act.

12 (b) (Blank).

13 (c) (Blank).

14 (d) The Department shall develop a package of educational
15 materials containing information regarding the necessity of
16 waste reduction and recycling to reduce dependence on landfills
17 and to maintain environmental quality. The Department shall
18 make this information available to the public on its website
19 and for schools to access for their development of materials.
20 Those materials developed shall be suitable for instructional
21 use in grades 3, 4 and 5. ~~The Department shall distribute such~~
22 ~~instructional material to all public elementary and unit school~~
23 ~~districts no later than November 1, of each year.~~

24 (e) (Blank).

25 (f) (Blank).

26 (g) (Blank).

1 (h) (Blank).

2 (i) (Blank).

3 (Source: P.A. 98-44, eff. 6-28-13.)

4 (20 ILCS 2310/2310-373 rep.)

5 (20 ILCS 2310/2310-396 rep.)

6 Section 35. The Department of Public Health Powers and
7 Duties Law of the Civil Administrative Code of Illinois is
8 amended by repealing Sections 2310-373 and 2310-396.

9 Section 40. The Governor's Office of Management and Budget
10 Act is amended by changing Section 7.3 as follows:

11 (20 ILCS 3005/7.3)

12 Sec. 7.3. Annual economic and fiscal policy report. No
13 later than the 3rd business day in ~~By~~ January ~~±~~ of each year,
14 the Governor's Office of Management and Budget shall submit an
15 economic and fiscal policy report to the General Assembly. The
16 report must outline the long-term economic and fiscal policy
17 objectives of the State, the economic and fiscal policy
18 intentions for the upcoming fiscal year, and the economic and
19 fiscal policy intentions for the following 2 fiscal years. The
20 report must highlight the total level of revenue, expenditure,
21 deficit or surplus, and debt with respect to each of the
22 reporting categories. The report must be posted on the Office's
23 Internet website and allow members of the public to post

1 comments concerning the report.

2 (Source: P.A. 96-1354, eff. 7-28-10.)

3 Section 45. The Capital Spending Accountability Law is
4 amended by changing Section 805 as follows:

5 (20 ILCS 3020/805)

6 Sec. 805. Reports on capital spending. On the first day of
7 each quarterly period in each fiscal year, the Governor's
8 Office of Management and Budget shall provide to the
9 Comptroller, the Treasurer, the President and the Minority
10 Leader of the Senate, and the Speaker and the Minority Leader
11 of the House of Representatives a report on the status of all
12 capital projects in the State. The report may ~~must~~ be provided
13 in both written and electronic format. The report must include
14 all of the following:

15 (1) A brief description or stated purpose of each
16 capital project where applicable (as referred to in this
17 Section, "project").

18 (2) The amount and source of funds (whether from bond
19 funds or other revenues) appropriated for each project,
20 organized into categories including roads, mass transit,
21 schools, environment, civic centers and other categories
22 as applicable (as referred to in this Section, "category or
23 categories"), with subtotals for each category.

24 (3) The date the appropriation bill relating to each

1 project was signed by the Governor, organized into
2 categories.

3 (4) The date the written release of the Governor for
4 each project was submitted to the Comptroller or is
5 projected to be submitted and, if a release for any project
6 has not been submitted within 6 months after its
7 appropriation became law, an explanation why the project
8 has not yet been released, all organized into categories.

9 (5) The amount of expenditures to date by the State
10 relating to each project and estimated amount of total
11 State expenditures and proposed schedule of future State
12 expenditures relating to each project, all organized into
13 categories.

14 (6) A timeline for completion of each project,
15 including the dates, if applicable, of execution by the
16 State of any grant agreement, any required engineering or
17 design work or environmental approvals, and the estimated
18 or actual dates of the start and completion of
19 construction, all organized into categories. Any
20 substantial variances on any project from this reported
21 timeline must be explained in the next quarterly report.

22 (7) A summary report of the status of all projects,
23 including the amount of undisbursed funds intended to be
24 held or used in the next quarter.

25 (Source: P.A. 96-34, eff. 7-13-09.)

1 Section 50. The General Assembly Operations Act is amended
2 by changing Sections 2 and 4 as follows:

3 (25 ILCS 10/2) (from Ch. 63, par. 23.2)

4 Sec. 2. The Speaker of the House and the President of the
5 Senate, and the Chairman and members of the Senate Committee on
6 Committees shall be considered as holding continuing offices
7 until their respective successors are elected and qualified.

8 In the event of death or resignation of the Speaker of the
9 House or of the President of the Senate after the sine die
10 adjournment of the session of the General Assembly at which he
11 was elected, the powers held by him shall pass respectively to
12 the Majority Leader of the House of Representatives or to the
13 ~~Assistant~~ Majority Leader of the Senate who, for the purposes
14 of such powers shall be considered as holding continuing
15 offices until his respective successors are elected and
16 qualified.

17 (Source: P.A. 78-10.)

18 (25 ILCS 10/4) (from Ch. 63, par. 23.4)

19 Sec. 4. President of the Senate; operations, employees, and
20 expenditures ~~Senate Operations Commission.~~

21 (a) The President of the Senate ~~There is created a Senate~~
22 ~~Operations Commission to consist of the following: The~~
23 ~~President of the Senate, 3 Assistant Majority Leaders, the~~
24 ~~Minority Leader, one Assistant Minority Leader, and one member~~

1 ~~of the Senate appointed by the President of the Senate. The~~
2 ~~Senate Operations Commission shall have the following powers~~
3 ~~and duties: Commission~~ shall have responsibility for the
4 operation of the Senate in relation to the Senate Chambers,
5 Senate offices, committee rooms and all other rooms and
6 physical facilities used by the Senate, all equipment,
7 furniture, and supplies used by the Senate. The President
8 ~~Commission~~ shall have the authority to hire all professional
9 staff and employees necessary for the proper operation of the
10 Senate and authority to receive and expend appropriations for
11 the purposes set forth in this Act whether the General Assembly
12 be in session or not. Professional staff and employees may be
13 employed as full-time employees, part-time employees, or
14 contractual employees. The President shall have the authority
15 to receive and expend appropriations for the purposes set forth
16 in this Act whether the General Assembly be in session or not.
17 ~~The Secretary of the Senate shall serve as Secretary and~~
18 ~~Administrative Officer of the Commission. Pursuant to the~~
19 ~~policies and direction of the Commission, he shall have direct~~
20 ~~supervision of all equipment, furniture, and supplies used by~~
21 ~~the Senate.~~

22 (b) The President ~~Senate Operations Commission~~ shall adopt
23 and implement personnel policies for professional staff and
24 employees under its jurisdiction and control as required by the
25 State Officials and Employees Ethics Act.

26 (Source: P.A. 93-615, eff. 11-19-03.)

1 Section 55. The General Assembly Compensation Act is
2 amended by changing Sections 1 and 4.1 as follows:

3 (25 ILCS 115/1) (from Ch. 63, par. 14)

4 Sec. 1. Each member of the General Assembly shall receive
5 an annual salary of \$28,000 or as set by the Compensation
6 Review Board, whichever is greater. The following named
7 officers, committee chairmen and committee minority spokesmen
8 shall receive additional amounts per year for their services as
9 such officers, committee chairmen and committee minority
10 spokesmen respectively, as set by the Compensation Review Board
11 or, as follows, whichever is greater: Beginning the second
12 Wednesday in January 1989, the Speaker and the minority leader
13 of the House of Representatives and the President and the
14 minority leader of the Senate, \$16,000 each; the majority
15 leader in the House of Representatives \$13,500; one majority
16 leader of the Senate, ~~5~~ 6 assistant majority leaders, one
17 Deputy Minority leader of the Senate, and ~~4~~ 5 assistant
18 minority leaders in the Senate, \$12,000 each; 6 assistant
19 majority leaders and 6 assistant minority leaders in the House
20 of Representatives, \$10,500 each; 2 Deputy Majority leaders in
21 the House of Representatives \$11,500 each; and 2 Deputy
22 Minority leaders in the House of Representatives, \$11,500 each;
23 the majority caucus chairman and minority caucus chairman in
24 the Senate, \$12,000 each; and beginning the second Wednesday in

1 January, 1989, the majority conference chairman and the
2 minority conference chairman in the House of Representatives,
3 \$10,500 each; beginning the second Wednesday in January, 1989,
4 the chairman and minority spokesman of each standing committee
5 of the Senate, except the Rules Committee, the Committee on
6 Committees, and the Committee on Assignment of Bills, \$6,000
7 each; and beginning the second Wednesday in January, 1989, the
8 chairman and minority spokesman of each standing and select
9 committee of the House of Representatives, \$6,000 each. A
10 member who serves in more than one position as an officer,
11 committee chairman, or committee minority spokesman shall
12 receive only one additional amount based on the position paying
13 the highest additional amount. The compensation provided for in
14 this Section to be paid per year to members of the General
15 Assembly, including the additional sums payable per year to
16 officers of the General Assembly shall be paid in 12 equal
17 monthly installments. The first such installment is payable on
18 January 31, 1977. All subsequent equal monthly installments are
19 payable on the last working day of the month. A member who has
20 held office any part of a month is entitled to compensation for
21 an entire month.

22 Mileage shall be paid at the rate of 20 cents per mile
23 before January 9, 1985, and at the mileage allowance rate in
24 effect under regulations promulgated pursuant to 5 U.S.C.
25 5707(b)(2) beginning January 9, 1985, for the number of actual
26 highway miles necessarily and conveniently traveled by the most

1 feasible route to be present upon convening of the sessions of
2 the General Assembly by such member in each and every trip
3 during each session in going to and returning from the seat of
4 government, to be computed by the Comptroller. A member
5 traveling by public transportation for such purposes, however,
6 shall be paid his actual cost of that transportation instead of
7 on the mileage rate if his cost of public transportation
8 exceeds the amount to which he would be entitled on a mileage
9 basis. No member may be paid, whether on a mileage basis or for
10 actual costs of public transportation, for more than one such
11 trip for each week the General Assembly is actually in session.
12 Each member shall also receive an allowance of \$36 per day for
13 lodging and meals while in attendance at sessions of the
14 General Assembly before January 9, 1985; beginning January 9,
15 1985, such food and lodging allowance shall be equal to the
16 amount per day permitted to be deducted for such expenses under
17 the Internal Revenue Code; however, beginning May 31, 1995, no
18 allowance for food and lodging while in attendance at sessions
19 is authorized for periods of time after the last day in May of
20 each calendar year, except (i) if the General Assembly is
21 convened in special session by either the Governor or the
22 presiding officers of both houses, as provided by subsection
23 (b) of Section 5 of Article IV of the Illinois Constitution or
24 (ii) if the General Assembly is convened to consider bills
25 vetoed, item vetoed, reduced, or returned with specific
26 recommendations for change by the Governor as provided in

1 Section 9 of Article IV of the Illinois Constitution. For
2 fiscal year 2011 and for session days in fiscal years 2012,
3 2013, and 2014 only (i) the allowance for lodging and meals is
4 \$111 per day and (ii) mileage for automobile travel shall be
5 reimbursed at a rate of \$0.39 per mile.

6 Notwithstanding any other provision of law to the contrary,
7 beginning in fiscal year 2012, travel reimbursement for General
8 Assembly members on non-session days shall be calculated using
9 the guidelines set forth by the Legislative Travel Control
10 Board, except that fiscal year 2012, 2013, and 2014 mileage
11 reimbursement is set at a rate of \$0.39 per mile.

12 If a member dies having received only a portion of the
13 amount payable as compensation, the unpaid balance shall be
14 paid to the surviving spouse of such member, or, if there be
15 none, to the estate of such member.

16 (Source: P.A. 97-71, eff. 6-30-11; 97-718, eff. 6-29-12; 98-30,
17 eff. 6-24-13.)

18 (25 ILCS 115/4.1) (from Ch. 63, par. 15.2)

19 Sec. 4.1. Payment techniques and procedures shall be
20 according to rules made by the Senate Committee on Assignment
21 of Bills ~~Operations Commission~~ or the Rules Committee of the
22 House, as the case may be.

23 (Source: P.A. 79-806; 79-1023; 79-1454.)

24 Section 60. The Legislative Commission Reorganization Act

1 of 1984 is amended by changing Section 8A-15 as follows:

2 (25 ILCS 130/8A-15)

3 Sec. 8A-15. Master plan.

4 (a) The term "legislative complex" means (i) the buildings
5 and facilities located in Springfield, Illinois, and occupied
6 in whole or in part by the General Assembly or any of its
7 support service agencies, (ii) the grounds, walkways, and
8 tunnels surrounding or connected to those buildings and
9 facilities, and (iii) the off-street parking areas serving
10 those buildings and facilities.

11 (b) The Architect of the Capitol shall prepare and
12 implement a long-range master plan of development for the State
13 Capitol Building, ~~and the remaining portions of the legislative~~
14 complex, and the land and State buildings and facilities within
15 the area bounded by Washington, Third, Cook, and Pasfield
16 Streets that addresses the improvement, construction, historic
17 preservation, restoration, maintenance, repair, and
18 landscaping needs of these State buildings and facilities and
19 the land ~~the State Capitol Building and the remaining portions~~
20 ~~of the legislative complex~~. The Architect of the Capitol shall
21 submit the master plan to the Capitol Historic Preservation
22 Board for its review and comment. The Board must confine its
23 review and comment to those portions of the master plan that
24 relate to areas ~~of the legislative complex~~ other than the State
25 Capitol Building. The Architect may incorporate suggestions of

1 the Board into the master plan. The master plan must be
2 submitted to and approved by the Board of the Office of the
3 Architect of the Capitol before its implementation.

4 The Architect of the Capitol may change the master plan and
5 shall submit changes in the master plan that relate to areas ~~of~~
6 ~~the legislative complex~~ other than the State Capitol Building
7 to the Capitol Historic Preservation Board for its review and
8 comment. All changes in the master plan must be submitted to
9 and approved by the Board of the Office of the Architect of the
10 Capitol before implementation.

11 (c) The Architect of the Capitol must review the master
12 plan every 5 years or at the direction of the Board of the
13 Office of the Architect of the Capitol. Changes in the master
14 plan resulting from this review must be made in accordance with
15 the procedure provided in subsection (b).

16 (d) Notwithstanding any other law to the contrary, the
17 Architect of the Capitol has the sole authority to contract for
18 all materials and services necessary for the implementation of
19 the master plan. The Architect (i) may comply with the
20 procedures established by the Joint Committee on Legislative
21 Support Services under Section 1-4 or (ii) upon approval of the
22 Board of the Office of the Architect of the Capitol, may, but
23 is not required to, comply with a portion or all of the
24 Illinois Procurement Code when entering into contracts under
25 this subsection. The Architect's compliance with the Illinois
26 Procurement Code shall not be construed to subject the

1 Architect or any other entity of the legislative branch to the
2 Illinois Procurement Code with respect to any other contract.

3 The Architect may enter into agreements with other State
4 agencies for the provision of materials or performance of
5 services necessary for the implementation of the master plan.

6 State officers and agencies providing normal, day-to-day
7 repair, maintenance, or landscaping or providing security,
8 commissary, utility, parking, banking, tour guide, event
9 scheduling, or other operational services for buildings and
10 facilities within the legislative complex immediately prior to
11 the effective date of this amendatory Act of the 93rd General
12 Assembly shall continue to provide that normal, day-to-day
13 repair, maintenance, or landscaping or those services on the
14 same basis, whether by contract or employees, that the repair,
15 maintenance, landscaping, or services were provided
16 immediately prior to the effective date of this amendatory Act
17 of the 93rd General Assembly, subject to the provisions of the
18 master plan and as otherwise directed by the Architect of the
19 Capitol.

20 (e) The Architect of the Capitol shall monitor
21 construction, preservation, restoration, maintenance, repair,
22 and landscaping work in the legislative complex and
23 implementation of the master plan, as well as ~~all other~~
24 activities that alter the historic integrity of the legislative
25 complex and master plan.

26 (Source: P.A. 93-632, eff. 2-1-04.)

1 Section 65. The State Finance Act is amended by changing
2 Sections 9.02 and 14.1 as follows:

3 (30 ILCS 105/9.02) (from Ch. 127, par. 145c)

4 Sec. 9.02. Vouchers; signature; delegation; electronic
5 submission.

6 (a) (1) Any new contract or contract renewal in the amount
7 of \$250,000 or more in a fiscal year, or any order against a
8 master contract in the amount of \$250,000 or more in a fiscal
9 year, or any contract amendment or change to an existing
10 contract that increases the value of the contract to or by
11 \$250,000 or more in a fiscal year, shall be signed or approved
12 in writing by the chief executive officer of the agency, and
13 shall also be signed or approved in writing by the agency's
14 chief legal counsel and chief fiscal officer. If the agency
15 does not have a chief legal counsel or a chief fiscal officer,
16 the chief executive officer of the agency shall designate in
17 writing a senior executive as the individual responsible for
18 signature or approval.

19 (2) No document identified in paragraph (1) may be filed
20 with the Comptroller, nor may any authorization for payment
21 pursuant to such documents be filed with the Comptroller, if
22 the required signatures or approvals are lacking.

23 (3) Any person who, with knowledge the signatures or
24 approvals required in paragraph (1) are lacking, either files

1 or directs another to file documents or payment authorizations
2 in violation of paragraph (2) shall be subject to discipline up
3 to and including discharge.

4 (4) Procurements shall not be artificially divided so as to
5 avoid the necessity of complying with paragraph (1).

6 (5) Each State agency shall develop and implement
7 procedures to ensure the necessary signatures or approvals are
8 obtained. Each State agency may establish, maintain and follow
9 procedures that are more restrictive than those required
10 herein.

11 (6) This subsection (a) applies to all State agencies as
12 defined in Section 1-7 of the Illinois State Auditing Act,
13 which includes without limitation the General Assembly and its
14 agencies. For purposes of this subsection (a), in the case of
15 the General Assembly, the "chief executive officer of the
16 agency" means (i) the President of the Senate Operations
17 ~~Commission~~ for Senate general operations as provided in Section
18 4 of the General Assembly Operations Act, (ii) the Speaker of
19 the House of Representatives for House general operations as
20 provided in Section 5 of the General Assembly Operations Act,
21 (iii) the Speaker of the House for majority leadership staff
22 and operations, (iv) the Minority Leader of the House for
23 minority leadership staff and operations, (v) the President of
24 the Senate for majority leadership staff and operations, (vi)
25 the Minority Leader of the Senate for minority staff and
26 operations, and (vii) the Joint Committee on Legislative

1 Support Services for the legislative support services agencies
2 as provided in the Legislative Commission Reorganization Act of
3 1984.

4 (b) (1) Every voucher, as submitted by the agency or office
5 in which it originates, shall bear (i) the signature of the
6 officer responsible for approving and certifying vouchers
7 under this Act and (ii) if authority to sign the responsible
8 officer's name has been properly delegated, also the signature
9 of the person actually signing the voucher.

10 (2) When an officer delegates authority to approve and
11 certify vouchers, he shall send a copy of such authorization
12 containing the signature of the person to whom delegation is
13 made to each office that checks or approves such vouchers and
14 to the State Comptroller. Such delegation may be general or
15 limited. If the delegation is limited, the authorization shall
16 designate the particular types of vouchers that the person is
17 authorized to approve and certify.

18 (3) When any delegation of authority hereunder is revoked,
19 a copy of the revocation of authority shall be sent to the
20 Comptroller and to each office to which a copy of the
21 authorization was sent.

22 The Comptroller may require State agencies to maintain
23 signature documents and records of delegations of voucher
24 signature authority and revocations of those delegations,
25 instead of transmitting those documents to the Comptroller. The
26 Comptroller may inspect such documents and records at any time.

1 (c) The Comptroller may authorize the submission of
2 vouchers through electronic transmissions, on magnetic tape,
3 or otherwise.

4 (Source: P.A. 89-360, eff. 8-17-95; 90-452, eff. 8-16-97.)

5 (30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

6 Sec. 14.1. Appropriations for State contributions to the
7 State Employees' Retirement System; payroll requirements.

8 (a) Appropriations for State contributions to the State
9 Employees' Retirement System of Illinois shall be expended in
10 the manner provided in this Section. Except as otherwise
11 provided in subsections (a-1), (a-2), (a-3), and (a-4) at the
12 time of each payment of salary to an employee under the
13 personal services line item, payment shall be made to the State
14 Employees' Retirement System, from the amount appropriated for
15 State contributions to the State Employees' Retirement System,
16 of an amount calculated at the rate certified for the
17 applicable fiscal year by the Board of Trustees of the State
18 Employees' Retirement System under Section 14-135.08 of the
19 Illinois Pension Code. If a line item appropriation to an
20 employer for this purpose is exhausted or is unavailable due to
21 any limitation on appropriations that may apply, (including,
22 but not limited to, limitations on appropriations from the Road
23 Fund under Section 8.3 of the State Finance Act), the amounts
24 shall be paid under the continuing appropriation for this
25 purpose contained in the State Pension Funds Continuing

1 Appropriation Act.

2 (a-1) Beginning on the effective date of this amendatory
3 Act of the 93rd General Assembly through the payment of the
4 final payroll from fiscal year 2004 appropriations,
5 appropriations for State contributions to the State Employees'
6 Retirement System of Illinois shall be expended in the manner
7 provided in this subsection (a-1). At the time of each payment
8 of salary to an employee under the personal services line item
9 from a fund other than the General Revenue Fund, payment shall
10 be made for deposit into the General Revenue Fund from the
11 amount appropriated for State contributions to the State
12 Employees' Retirement System of an amount calculated at the
13 rate certified for fiscal year 2004 by the Board of Trustees of
14 the State Employees' Retirement System under Section 14-135.08
15 of the Illinois Pension Code. This payment shall be made to the
16 extent that a line item appropriation to an employer for this
17 purpose is available or unexhausted. No payment from
18 appropriations for State contributions shall be made in
19 conjunction with payment of salary to an employee under the
20 personal services line item from the General Revenue Fund.

21 (a-2) For fiscal year 2010 only, at the time of each
22 payment of salary to an employee under the personal services
23 line item from a fund other than the General Revenue Fund,
24 payment shall be made for deposit into the State Employees'
25 Retirement System of Illinois from the amount appropriated for
26 State contributions to the State Employees' Retirement System

1 of Illinois of an amount calculated at the rate certified for
2 fiscal year 2010 by the Board of Trustees of the State
3 Employees' Retirement System of Illinois under Section
4 14-135.08 of the Illinois Pension Code. This payment shall be
5 made to the extent that a line item appropriation to an
6 employer for this purpose is available or unexhausted. For
7 fiscal year 2010 only, no payment from appropriations for State
8 contributions shall be made in conjunction with payment of
9 salary to an employee under the personal services line item
10 from the General Revenue Fund.

11 (a-3) For fiscal year 2011 only, at the time of each
12 payment of salary to an employee under the personal services
13 line item from a fund other than the General Revenue Fund,
14 payment shall be made for deposit into the State Employees'
15 Retirement System of Illinois from the amount appropriated for
16 State contributions to the State Employees' Retirement System
17 of Illinois of an amount calculated at the rate certified for
18 fiscal year 2011 by the Board of Trustees of the State
19 Employees' Retirement System of Illinois under Section
20 14-135.08 of the Illinois Pension Code. This payment shall be
21 made to the extent that a line item appropriation to an
22 employer for this purpose is available or unexhausted. For
23 fiscal year 2011 only, no payment from appropriations for State
24 contributions shall be made in conjunction with payment of
25 salary to an employee under the personal services line item
26 from the General Revenue Fund.

1 (a-4) In fiscal years 2012 through 2014 only, at the time
2 of each payment of salary to an employee under the personal
3 services line item from a fund other than the General Revenue
4 Fund, payment shall be made for deposit into the State
5 Employees' Retirement System of Illinois from the amount
6 appropriated for State contributions to the State Employees'
7 Retirement System of Illinois of an amount calculated at the
8 rate certified for the applicable fiscal year by the Board of
9 Trustees of the State Employees' Retirement System of Illinois
10 under Section 14-135.08 of the Illinois Pension Code. In fiscal
11 years 2012 through 2014 only, no payment from appropriations
12 for State contributions shall be made in conjunction with
13 payment of salary to an employee under the personal services
14 line item from the General Revenue Fund.

15 (b) Except during the period beginning on the effective
16 date of this amendatory Act of the 93rd General Assembly and
17 ending at the time of the payment of the final payroll from
18 fiscal year 2004 appropriations, the State Comptroller shall
19 not approve for payment any payroll voucher that (1) includes
20 payments of salary to eligible employees in the State
21 Employees' Retirement System of Illinois and (2) does not
22 include the corresponding payment of State contributions to
23 that retirement system at the full rate certified under Section
24 14-135.08 for that fiscal year for eligible employees, unless
25 the balance in the fund on which the payroll voucher is drawn
26 is insufficient to pay the total payroll voucher, or

1 unavailable due to any limitation on appropriations that may
2 apply, including, but not limited to, limitations on
3 appropriations from the Road Fund under Section 8.3 of the
4 State Finance Act. If the State Comptroller approves a payroll
5 voucher under this Section for which the fund balance is
6 insufficient to pay the full amount of the required State
7 contribution to the State Employees' Retirement System, the
8 Comptroller shall promptly so notify the Retirement System.

9 (b-1) For fiscal year 2010 and fiscal year 2011 only, the
10 State Comptroller shall not approve for payment any non-General
11 Revenue Fund payroll voucher that (1) includes payments of
12 salary to eligible employees in the State Employees' Retirement
13 System of Illinois and (2) does not include the corresponding
14 payment of State contributions to that retirement system at the
15 full rate certified under Section 14-135.08 for that fiscal
16 year for eligible employees, unless the balance in the fund on
17 which the payroll voucher is drawn is insufficient to pay the
18 total payroll voucher, or unavailable due to any limitation on
19 appropriations that may apply, including, but not limited to,
20 limitations on appropriations from the Road Fund under Section
21 8.3 of the State Finance Act. If the State Comptroller approves
22 a payroll voucher under this Section for which the fund balance
23 is insufficient to pay the full amount of the required State
24 contribution to the State Employees' Retirement System of
25 Illinois, the Comptroller shall promptly so notify the
26 retirement system.

1 (c) Notwithstanding any other provisions of law, beginning
2 July 1, 2007, required State and employee contributions to the
3 State Employees' Retirement System of Illinois relating to
4 affected legislative staff employees shall be paid out of
5 moneys appropriated for that purpose to the Commission on
6 Government Forecasting and Accountability, rather than out of
7 the lump-sum appropriations otherwise made for the payroll and
8 other costs of those employees.

9 These payments must be made pursuant to payroll vouchers
10 submitted by the employing entity as part of the regular
11 payroll voucher process.

12 For the purpose of this subsection, "affected legislative
13 staff employees" means legislative staff employees paid out of
14 lump-sum appropriations made to the General Assembly or an
15 Officer of the General Assembly, ~~or the Senate Operations~~
16 ~~Commission,~~ but does not include district-office staff or
17 employees of legislative support services agencies.

18 (Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24,
19 eff. 6-19-13.)".

20 (30 ILCS 105/5.250 rep.)

21 Section 70. The State Finance Act is amended by repealing
22 Section 5.250.

23 Section 75. The Property Tax Code is amended by changing
24 Sections 8-35, 17-20, and 17-40 as follows:

1 (35 ILCS 200/8-35)

2 Sec. 8-35. Notification requirements; procedure on
3 protest.

4 (a) Assessments made by the Department. Upon completion of
5 its original assessments, the Department shall publish a
6 complete list of the assessments on its official website. ~~in~~
7 ~~the State "official newspaper."~~ Any person feeling aggrieved by
8 any such assessment may, within 10 days of the date of
9 publication of the list, apply to the Department for a review
10 and correction of that assessment. Upon review of the
11 assessment, the Department shall make any correction as it
12 considers just.

13 If review of an assessment has been made and notice has
14 been given of the Department's decision, any party to the
15 proceeding who feels aggrieved by the decision, may file an
16 application for hearing. The application shall be in writing
17 and shall be filed with the Department within 20 days after
18 notice of the decision has been given by certified mail.
19 Petitions for hearing shall state concisely the mistakes
20 alleged to have been made or the new evidence to be presented.

21 No action for the judicial review of any assessment
22 decision of the Department shall be allowed unless the party
23 commencing such action has filed an application for a hearing
24 and the Department has acted upon the application.

25 The extension of taxes on an assessment shall not be

1 delayed by any proceeding under this Section. In cases where
2 the assessment is revised, the taxes extended upon the
3 assessment, or that part of the taxes as may be appropriate,
4 shall be abated or, if already paid, refunded.

5 (b) Exemption decisions made by the Department. Notice of
6 each exemption decision made by the Department under Section
7 15-25, 16-70, or 16-130 shall be given by certified mail to the
8 applicant for exemption.

9 If an exemption decision has been made by the Department
10 and notice has been given of the Department's decision, any
11 party to the proceeding who feels aggrieved by the decision may
12 file an application for hearing. The application shall be in
13 writing and shall be filed with the Department within 60 days
14 after notice of the decision has been given by certified mail.
15 Petitions for hearing shall state concisely the mistakes
16 alleged to have been made or the new evidence to be presented.

17 If a petition for hearing is filed, the Department shall
18 reconsider the exemption decision and shall grant any party to
19 the proceeding a hearing. As soon as practical after the
20 reconsideration and hearing, the Department shall issue a
21 notice of decision by mailing the notice by certified mail. The
22 notice shall set forth the Department's findings of fact and
23 the basis of the decision.

24 Within 30 days after the mailing of a notice of decision,
25 any party to the proceeding may file with the Director a
26 written request for rehearing in such form as the Department

1 may by rule prescribe, setting forth the grounds on which
2 rehearing is requested. If rehearing or Departmental review is
3 granted, as soon as practical after the rehearing or
4 Departmental review has been held, the Department shall issue a
5 revised decision to the party or the party's legal
6 representative as a result of the rehearing. The action of the
7 Department on a petition for hearing shall become final the
8 later of (i) 30 days after issuance of a notice of decision, if
9 no request for rehearing is made, or (ii) if a timely request
10 for rehearing is made, upon the issuance of the denial of the
11 request or the issuance of a notice of final decision.

12 No action for the judicial review of any exemption decision
13 of the Department shall be allowed unless the party commencing
14 the action has filed an application for a hearing and the
15 Department has acted upon the application.

16 The extension of taxes on an assessment shall not be
17 delayed by any proceeding under this Section. In cases when the
18 exemption is granted, in whole or in part, the taxes extended
19 upon the assessment, or that part of the taxes as may be
20 appropriate, shall be abated or, if already paid, refunded.

21 (Source: P.A. 92-658, eff. 7-16-02.)

22 (35 ILCS 200/17-20)

23 Sec. 17-20. Hearing on tentative equalization factor. The
24 Department shall, after publishing its tentative equalization
25 factor and giving notice of hearing to the public on its

1 ~~official website in a newspaper of general circulation in the~~
2 ~~county~~, hold a hearing on its estimate not less than 10 days
3 nor more than 30 days from the date of the publication. The
4 notice shall state the date and time of the hearing, which
5 shall be held in either Chicago or Springfield, the basis for
6 the estimate of the Department, and further information as the
7 Department may prescribe. The Department shall, after giving a
8 hearing to all interested parties and opportunity for
9 submitting testimony and evidence in support of or adverse to
10 the estimate as the Department considers requisite, either
11 confirm or revise the estimate so as to correctly represent the
12 considered judgment of the Department respecting the estimated
13 percentage to be added to or deducted from the aggregate
14 assessment of all locally assessed property in the county
15 except property assessed under Sections 10-110 through 10-140
16 or 10-170 through 10-200. Within 30 days after the conclusion
17 of the hearing the Department shall mail to the County Clerk,
18 by certified mail, its determination with respect to such
19 estimated percentage to be added to or deducted from the
20 aggregate assessment.

21 (Source: P.A. 91-555, eff. 1-1-00.)

22 (35 ILCS 200/17-40)

23 Sec. 17-40. Publication of final equalization factor. The
24 Department shall publish on its official website ~~in each county~~
25 the percentage and equalization factor certified to each county

1 clerk under Section 17-30. If the percentage differs from the
2 percentage derived from the initial estimate certified under
3 Section 17-15, a statement as to the basis for the final
4 percentage shall also be published. The Department shall
5 provide the statement to any member of the public upon request.
6 (Source: P.A. 79-703; 88-455.)

7 Section 80. The Adult Education Reporting Act is amended by
8 changing Section 1 as follows:

9 (105 ILCS 410/1) (from Ch. 122, par. 1851)

10 Sec. 1. As used in this Act, "agency" means: the
11 Departments of Corrections, ~~Public Aid~~, Commerce and Economic
12 Opportunity, Human Services, and Public Health; the Secretary
13 of State; the Illinois Community College Board; and the
14 Administrative Office of the Illinois Courts. On and after July
15 1, 2001, "agency" includes the State Board of Education and
16 does not include the Illinois Community College Board.

17 (Source: P.A. 94-793, eff. 5-19-06.)

18 Section 85. The Public Community College Act is amended by
19 changing Section 2-10 as follows:

20 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

21 Sec. 2-10. The State Board shall make a thorough,
22 comprehensive and continuous study of the status of community

1 college education, its problems, needs for improvement, and
2 projected developments and shall make a detailed report thereof
3 to the General Assembly not later than March 1 of each
4 odd-numbered year and shall submit recommendations for such
5 legislation as it deems necessary.

6 The requirement for reporting to the General Assembly shall
7 be satisfied by electronically filing copies of the report with
8 the Speaker, the Minority Leader and the Clerk of the House of
9 Representatives and the President, the Minority Leader and the
10 Secretary of the Senate and the Legislative Research Unit, as
11 required by Section 3.1 of "An Act to revise the law in
12 relation to the General Assembly", approved February 25, 1874,
13 as amended, and electronically filing such additional copies
14 with the State Government Report Distribution Center for the
15 General Assembly as is required under paragraph (t) of Section
16 7 of the State Library Act. A copy of the report shall also be
17 posted on the State Board's website.

18 (Source: P.A. 84-1438.)

19 (215 ILCS 5/178 rep.)

20 Section 90. The Illinois Insurance Code is amended by
21 repealing Section 178.

22 (215 ILCS 5/Art. XVI rep.)

23 (215 ILCS 5/Art. XIXB rep.)

24 Section 95. The Illinois Insurance Code is amended by

1 repealing Articles XVI and XIXB.

2 (225 ILCS 120/24 rep.)

3 Section 100. The Wholesale Drug Distribution Licensing Act
4 is amended by repealing Section 24.

5 Section 105. The Solid Waste Site Operator Certification
6 Law is amended by changing Section 1011 as follows:

7 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

8 Sec. 1011. Fees.

9 (a) Fees for the issuance or renewal of a Solid Waste Site
10 Operator Certificate shall be as follows:

11 (1) (A) \$400 for issuance or renewal for Class A Solid
12 Waste Site Operators; (B) \$200 for issuance or renewal for
13 Class B Solid Waste Site Operators; and (C) \$100 for
14 issuance or renewal for special waste endorsements.

15 (2) If the fee for renewal is not paid within the grace
16 period the above fees for renewal shall each be increased
17 by \$50.

18 (b) Before the effective date of this amendatory Act of the
19 98th General Assembly, all ~~All~~ fees collected by the Agency
20 under this Section shall be deposited into the Hazardous Waste
21 Occupational Licensing Fund. The Agency is authorized to use
22 monies in the Hazardous Waste Occupational Licensing Fund to
23 perform its functions, powers, and duties under this Section.

1 On and after the effective date of this amendatory Act of
2 the 98th General Assembly, all fees collected by the Agency
3 under this Section shall be deposited into the Environmental
4 Protection Permit and Inspection Fund to be used in accordance
5 with the provisions of Section 22.8 of the Environmental
6 Protection Act.

7 (Source: P.A. 86-1363.)

8 Section 110. The Illinois Athlete Agents Act is amended by
9 changing Section 180 as follows:

10 (225 ILCS 401/180)

11 Sec. 180. Civil penalties.

12 (a) In addition to any other penalty provided by law, any
13 person who violates this Act shall forfeit and pay a civil
14 penalty to the Department in an amount not to exceed \$10,000
15 for each violation as determined by the Department. The civil
16 penalty shall be assessed by the Department in accordance with
17 the provisions of this Act.

18 (b) The Department has the authority and power to
19 investigate any and all unlicensed activity.

20 (c) The civil penalty shall be paid within 60 days after
21 the effective date of the order imposing the civil penalty. The
22 order shall constitute a judgment and may be filed and
23 execution had thereon in the same manner as any judgment from
24 any court of record.

1 (d) All moneys collected under this Section shall be
2 deposited into the General Professions Dedicated Fund.

3 (Source: P.A. 96-1030, eff. 1-1-11.)

4 Section 115. The Illinois Horse Racing Act of 1975 is
5 amended by changing Section 30 as follows:

6 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

7 Sec. 30. (a) The General Assembly declares that it is the
8 policy of this State to encourage the breeding of thoroughbred
9 horses in this State and the ownership of such horses by
10 residents of this State in order to provide for: sufficient
11 numbers of high quality thoroughbred horses to participate in
12 thoroughbred racing meetings in this State, and to establish
13 and preserve the agricultural and commercial benefits of such
14 breeding and racing industries to the State of Illinois. It is
15 the intent of the General Assembly to further this policy by
16 the provisions of this Act.

17 (b) Each organization licensee conducting a thoroughbred
18 racing meeting pursuant to this Act shall provide at least two
19 races each day limited to Illinois conceived and foaled horses
20 or Illinois foaled horses or both. A minimum of 6 races shall
21 be conducted each week limited to Illinois conceived and foaled
22 or Illinois foaled horses or both. No horses shall be permitted
23 to start in such races unless duly registered under the rules
24 of the Department of Agriculture.

1 (c) Conditions of races under subsection (b) shall be
2 commensurate with past performance, quality, and class of
3 Illinois conceived and foaled and Illinois foaled horses
4 available. If, however, sufficient competition cannot be had
5 among horses of that class on any day, the races may, with
6 consent of the Board, be eliminated for that day and substitute
7 races provided.

8 (d) There is hereby created a special fund of the State
9 Treasury to be known as the Illinois Thoroughbred Breeders
10 Fund.

11 Except as provided in subsection (g) of Section 27 of this
12 Act, 8.5% of all the monies received by the State as privilege
13 taxes on Thoroughbred racing meetings shall be paid into the
14 Illinois Thoroughbred Breeders Fund.

15 (e) The Illinois Thoroughbred Breeders Fund shall be
16 administered by the Department of Agriculture with the advice
17 and assistance of the Advisory Board created in subsection (f)
18 of this Section.

19 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
20 shall consist of the Director of the Department of Agriculture,
21 who shall serve as Chairman; a member of the Illinois Racing
22 Board, designated by it; 2 representatives of the organization
23 licensees conducting thoroughbred racing meetings, recommended
24 by them; 2 representatives of the Illinois Thoroughbred
25 Breeders and Owners Foundation, recommended by it; and 2
26 representatives of the Horsemen's Benevolent Protective

1 Association or any successor organization established in
2 Illinois comprised of the largest number of owners and
3 trainers, recommended by it, with one representative of the
4 Horsemen's Benevolent and Protective Association to come from
5 its Illinois Division, and one from its Chicago Division.
6 Advisory Board members shall serve for 2 years commencing
7 January 1 of each odd numbered year. If representatives of the
8 organization licensees conducting thoroughbred racing
9 meetings, the Illinois Thoroughbred Breeders and Owners
10 Foundation, and the Horsemen's Benevolent Protection
11 Association have not been recommended by January 1, of each odd
12 numbered year, the Director of the Department of Agriculture
13 shall make an appointment for the organization failing to so
14 recommend a member of the Advisory Board. Advisory Board
15 members shall receive no compensation for their services as
16 members but shall be reimbursed for all actual and necessary
17 expenses and disbursements incurred in the execution of their
18 official duties.

19 (g) No monies shall be expended from the Illinois
20 Thoroughbred Breeders Fund except as appropriated by the
21 General Assembly. Monies appropriated from the Illinois
22 Thoroughbred Breeders Fund shall be expended by the Department
23 of Agriculture, with the advice and assistance of the Illinois
24 Thoroughbred Breeders Fund Advisory Board, for the following
25 purposes only:

26 (1) To provide purse supplements to owners of horses

1 participating in races limited to Illinois conceived and
2 foaled and Illinois foaled horses. Any such purse
3 supplements shall not be included in and shall be paid in
4 addition to any purses, stakes, or breeders' awards offered
5 by each organization licensee as determined by agreement
6 between such organization licensee and an organization
7 representing the horsemen. No monies from the Illinois
8 Thoroughbred Breeders Fund shall be used to provide purse
9 supplements for claiming races in which the minimum
10 claiming price is less than \$7,500.

11 (2) To provide stakes and awards to be paid to the
12 owners of the winning horses in certain races limited to
13 Illinois conceived and foaled and Illinois foaled horses
14 designated as stakes races.

15 (2.5) To provide an award to the owner or owners of an
16 Illinois conceived and foaled or Illinois foaled horse that
17 wins a maiden special weight, an allowance, overnight
18 handicap race, or claiming race with claiming price of
19 \$10,000 or more providing the race is not restricted to
20 Illinois conceived and foaled or Illinois foaled horses.
21 Awards shall also be provided to the owner or owners of
22 Illinois conceived and foaled and Illinois foaled horses
23 that place second or third in those races. To the extent
24 that additional moneys are required to pay the minimum
25 additional awards of 40% of the purse the horse earns for
26 placing first, second or third in those races for Illinois

1 foaled horses and of 60% of the purse the horse earns for
2 placing first, second or third in those races for Illinois
3 conceived and foaled horses, those moneys shall be provided
4 from the purse account at the track where earned.

5 (3) To provide stallion awards to the owner or owners
6 of any stallion that is duly registered with the Illinois
7 Thoroughbred Breeders Fund Program prior to the effective
8 date of this amendatory Act of 1995 whose duly registered
9 Illinois conceived and foaled offspring wins a race
10 conducted at an Illinois thoroughbred racing meeting other
11 than a claiming race. Such award shall not be paid to the
12 owner or owners of an Illinois stallion that served outside
13 this State at any time during the calendar year in which
14 such race was conducted.

15 (4) To provide \$75,000 annually for purses to be
16 distributed to county fairs that provide for the running of
17 races during each county fair exclusively for the
18 thoroughbreds conceived and foaled in Illinois. The
19 conditions of the races shall be developed by the county
20 fair association and reviewed by the Department with the
21 advice and assistance of the Illinois Thoroughbred
22 Breeders Fund Advisory Board. There shall be no wagering of
23 any kind on the running of Illinois conceived and foaled
24 races at county fairs.

25 (4.1) To provide purse money for an Illinois stallion
26 stakes program.

1 (5) No less than 80% of all monies appropriated from
2 the Illinois Thoroughbred Breeders Fund shall be expended
3 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
4 (5) as shown above.

5 (6) To provide for educational programs regarding the
6 thoroughbred breeding industry.

7 (7) To provide for research programs concerning the
8 health, development and care of the thoroughbred horse.

9 (8) To provide for a scholarship and training program
10 for students of equine veterinary medicine.

11 (9) To provide for dissemination of public information
12 designed to promote the breeding of thoroughbred horses in
13 Illinois.

14 (10) To provide for all expenses incurred in the
15 administration of the Illinois Thoroughbred Breeders Fund.

16 (h) Whenever the Governor finds that the amount in the
17 Illinois Thoroughbred Breeders Fund is more than the total of
18 the outstanding appropriations from such fund, the Governor
19 shall notify the State Comptroller and the State Treasurer of
20 such fact. The Comptroller and the State Treasurer, upon
21 receipt of such notification, shall transfer such excess amount
22 from the Illinois Thoroughbred Breeders Fund to the General
23 Revenue Fund.

24 (i) A sum equal to 12 1/2% of the first prize money of
25 every purse won by an Illinois foaled or an Illinois conceived
26 and foaled horse in races not limited to Illinois foaled horses

1 or Illinois conceived and foaled horses, or both, shall be paid
2 by the organization licensee conducting the horse race meeting.
3 Such sum shall be paid from the organization licensee's share
4 of the money wagered as follows: 11 1/2% to the breeder of the
5 winning horse and 1% to the organization representing
6 thoroughbred breeders and owners whose representative serves
7 on the Illinois Thoroughbred Breeders Fund Advisory Board for
8 verifying the amounts of breeders' awards earned, assuring
9 their distribution in accordance with this Act, and servicing
10 and promoting the Illinois thoroughbred horse racing industry.
11 The organization representing thoroughbred breeders and owners
12 shall cause all expenditures of monies received under this
13 subsection (i) to be audited at least annually by a registered
14 public accountant. The organization shall file copies of each
15 annual audit with the Racing Board, the Clerk of the House of
16 Representatives and the Secretary of the Senate, and shall make
17 copies of each annual audit available to the public upon
18 request and upon payment of the reasonable cost of photocopying
19 the requested number of copies. Such payments shall not reduce
20 any award to the owner of the horse or reduce the taxes payable
21 under this Act. Upon completion of its racing meet, each
22 organization licensee shall deliver to the organization
23 representing thoroughbred breeders and owners whose
24 representative serves on the Illinois Thoroughbred Breeders
25 Fund Advisory Board a listing of all the Illinois foaled and
26 the Illinois conceived and foaled horses which won breeders'

1 awards and the amount of such breeders' awards under this
2 subsection to verify accuracy of payments and assure proper
3 distribution of breeders' awards in accordance with the
4 provisions of this Act. Such payments shall be delivered by the
5 organization licensee within 30 days of the end of each race
6 meeting.

7 (j) A sum equal to 12 1/2% of the first prize money won in
8 each race limited to Illinois foaled horses or Illinois
9 conceived and foaled horses, or both, shall be paid in the
10 following manner by the organization licensee conducting the
11 horse race meeting, from the organization licensee's share of
12 the money wagered: 11 1/2% to the breeders of the horses in
13 each such race which are the official first, second, third and
14 fourth finishers and 1% to the organization representing
15 thoroughbred breeders and owners whose representative serves
16 on the Illinois Thoroughbred Breeders Fund Advisory Board for
17 verifying the amounts of breeders' awards earned, assuring
18 their proper distribution in accordance with this Act, and
19 servicing and promoting the Illinois thoroughbred horse racing
20 industry. The organization representing thoroughbred breeders
21 and owners shall cause all expenditures of monies received
22 under this subsection (j) to be audited at least annually by a
23 registered public accountant. The organization shall file
24 copies of each annual audit with the Racing Board, the Clerk of
25 the House of Representatives and the Secretary of the Senate,
26 and shall make copies of each annual audit available to the

1 public upon request and upon payment of the reasonable cost of
2 photocopying the requested number of copies.

3 The 11 1/2% paid to the breeders in accordance with this
4 subsection shall be distributed as follows:

5 (1) 60% of such sum shall be paid to the breeder of the
6 horse which finishes in the official first position;

7 (2) 20% of such sum shall be paid to the breeder of the
8 horse which finishes in the official second position;

9 (3) 15% of such sum shall be paid to the breeder of the
10 horse which finishes in the official third position; and

11 (4) 5% of such sum shall be paid to the breeder of the
12 horse which finishes in the official fourth position.

13 Such payments shall not reduce any award to the owners of a
14 horse or reduce the taxes payable under this Act. Upon
15 completion of its racing meet, each organization licensee shall
16 deliver to the organization representing thoroughbred breeders
17 and owners whose representative serves on the Illinois
18 Thoroughbred Breeders Fund Advisory Board a listing of all the
19 Illinois foaled and the Illinois conceived and foaled horses
20 which won breeders' awards and the amount of such breeders'
21 awards in accordance with the provisions of this Act. Such
22 payments shall be delivered by the organization licensee within
23 30 days of the end of each race meeting.

24 (k) The term "breeder", as used herein, means the owner of
25 the mare at the time the foal is dropped. An "Illinois foaled
26 horse" is a foal dropped by a mare which enters this State on

1 or before December 1, in the year in which the horse is bred,
2 provided the mare remains continuously in this State until its
3 foal is born. An "Illinois foaled horse" also means a foal born
4 of a mare in the same year as the mare enters this State on or
5 before March 1, and remains in this State at least 30 days
6 after foaling, is bred back during the season of the foaling to
7 an Illinois Registered Stallion (unless a veterinarian
8 certifies that the mare should not be bred for health reasons),
9 and is not bred to a stallion standing in any other state
10 during the season of foaling. An "Illinois foaled horse" also
11 means a foal born in Illinois of a mare purchased at public
12 auction subsequent to the mare entering this State prior to
13 February 1 of the foaling year providing the mare is owned
14 solely by one or more Illinois residents or an Illinois entity
15 that is entirely owned by one or more Illinois residents.

16 (1) The Department of Agriculture shall, by rule, with the
17 advice and assistance of the Illinois Thoroughbred Breeders
18 Fund Advisory Board:

19 (1) Qualify stallions for Illinois breeding; such
20 stallions to stand for service within the State of Illinois
21 at the time of a foal's conception. Such stallion must not
22 stand for service at any place outside the State of
23 Illinois during the calendar year in which the foal is
24 conceived. The Department of Agriculture may assess and
25 collect application fees for the registration of
26 Illinois-eligible stallions. All fees collected are to be

1 paid into the Illinois Thoroughbred Breeders Fund.

2 (2) Provide for the registration of Illinois conceived
3 and foaled horses and Illinois foaled horses. No such horse
4 shall compete in the races limited to Illinois conceived
5 and foaled horses or Illinois foaled horses or both unless
6 registered with the Department of Agriculture. The
7 Department of Agriculture may prescribe such forms as are
8 necessary to determine the eligibility of such horses. The
9 Department of Agriculture may assess and collect
10 application fees for the registration of Illinois-eligible
11 foals. All fees collected are to be paid into the Illinois
12 Thoroughbred Breeders Fund. No person shall knowingly
13 prepare or cause preparation of an application for
14 registration of such foals containing false information.

15 (m) The Department of Agriculture, with the advice and
16 assistance of the Illinois Thoroughbred Breeders Fund Advisory
17 Board, shall provide that certain races limited to Illinois
18 conceived and foaled and Illinois foaled horses be stakes races
19 and determine the total amount of stakes and awards to be paid
20 to the owners of the winning horses in such races.

21 In determining the stakes races and the amount of awards
22 for such races, the Department of Agriculture shall consider
23 factors, including but not limited to, the amount of money
24 appropriated for the Illinois Thoroughbred Breeders Fund
25 program, organization licensees' contributions, availability
26 of stakes caliber horses as demonstrated by past performances,

1 whether the race can be coordinated into the proposed racing
2 dates within organization licensees' racing dates, opportunity
3 for colts and fillies and various age groups to race, public
4 wagering on such races, and the previous racing schedule.

5 (n) The Board and the organizational licensee shall notify
6 the Department of the conditions and minimum purses for races
7 limited to Illinois conceived and foaled and Illinois foaled
8 horses conducted for each organizational licensee conducting a
9 thoroughbred racing meeting. The Department of Agriculture
10 with the advice and assistance of the Illinois Thoroughbred
11 Breeders Fund Advisory Board may allocate monies for purse
12 supplements for such races. In determining whether to allocate
13 money and the amount, the Department of Agriculture shall
14 consider factors, including but not limited to, the amount of
15 money appropriated for the Illinois Thoroughbred Breeders Fund
16 program, the number of races that may occur, and the
17 organizational licensee's purse structure.

18 (o) (Blank). ~~In order to improve the breeding quality of~~
19 ~~thoroughbred horses in the State, the General Assembly~~
20 ~~recognizes that existing provisions of this Section to~~
21 ~~encourage such quality breeding need to be revised and~~
22 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
23 ~~Force is to be appointed by the Governor by September 1, 1999~~
24 ~~to make recommendations to the General Assembly by no later~~
25 ~~than March 1, 2000. This task force is to be composed of 2~~
26 ~~representatives from the Illinois Thoroughbred Breeders and~~

1 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
2 ~~Association, 3 from Illinois race tracks operating~~
3 ~~thoroughbred race meets for an average of at least 30 days in~~
4 ~~the past 3 years, the Director of Agriculture, the Executive~~
5 ~~Director of the Racing Board, who shall serve as Chairman.~~

6 (Source: P.A. 91-40, eff. 6-25-99.)

7 Section 120. The Liquor Control Act of 1934 is amended by
8 changing Section 6-15 as follows:

9 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

10 Sec. 6-15. No alcoholic liquors shall be sold or delivered
11 in any building belonging to or under the control of the State
12 or any political subdivision thereof except as provided in this
13 Act. The corporate authorities of any city, village,
14 incorporated town, township, or county may provide by
15 ordinance, however, that alcoholic liquor may be sold or
16 delivered in any specifically designated building belonging to
17 or under the control of the municipality, township, or county,
18 or in any building located on land under the control of the
19 municipality, township, or county; provided that such township
20 or county complies with all applicable local ordinances in any
21 incorporated area of the township or county. Alcoholic liquor
22 may be delivered to and sold under the authority of a special
23 use permit on any property owned by a conservation district
24 organized under the Conservation District Act, provided that

1 (i) the alcoholic liquor is sold only at an event authorized by
2 the governing board of the conservation district, (ii) the
3 issuance of the special use permit is authorized by the local
4 liquor control commissioner of the territory in which the
5 property is located, and (iii) the special use permit
6 authorizes the sale of alcoholic liquor for one day or less.
7 Alcoholic liquors may be delivered to and sold at any airport
8 belonging to or under the control of a municipality of more
9 than 25,000 inhabitants, or in any building or on any golf
10 course owned by a park district organized under the Park
11 District Code, subject to the approval of the governing board
12 of the district, or in any building or on any golf course owned
13 by a forest preserve district organized under the Downstate
14 Forest Preserve District Act, subject to the approval of the
15 governing board of the district, or on the grounds within 500
16 feet of any building owned by a forest preserve district
17 organized under the Downstate Forest Preserve District Act
18 during times when food is dispensed for consumption within 500
19 feet of the building from which the food is dispensed, subject
20 to the approval of the governing board of the district, or in a
21 building owned by a Local Mass Transit District organized under
22 the Local Mass Transit District Act, subject to the approval of
23 the governing Board of the District, or in Bicentennial Park,
24 or on the premises of the City of Mendota Lake Park located
25 adjacent to Route 51 in Mendota, Illinois, or on the premises
26 of Camden Park in Milan, Illinois, or in the community center

1 owned by the City of Loves Park that is located at 1000 River
2 Park Drive in Loves Park, Illinois, or, in connection with the
3 operation of an established food serving facility during times
4 when food is dispensed for consumption on the premises, and at
5 the following aquarium and museums located in public parks: Art
6 Institute of Chicago, Chicago Academy of Sciences, Chicago
7 Historical Society, Field Museum of Natural History, Museum of
8 Science and Industry, DuSable Museum of African American
9 History, John G. Shedd Aquarium and Adler Planetarium, or at
10 Lakeview Museum of Arts and Sciences in Peoria, or in
11 connection with the operation of the facilities of the Chicago
12 Zoological Society or the Chicago Horticultural Society on land
13 owned by the Forest Preserve District of Cook County, or on any
14 land used for a golf course or for recreational purposes owned
15 by the Forest Preserve District of Cook County, subject to the
16 control of the Forest Preserve District Board of Commissioners
17 and applicable local law, provided that dram shop liability
18 insurance is provided at maximum coverage limits so as to hold
19 the District harmless from all financial loss, damage, and
20 harm, or in any building located on land owned by the Chicago
21 Park District if approved by the Park District Commissioners,
22 or on any land used for a golf course or for recreational
23 purposes and owned by the Illinois International Port District
24 if approved by the District's governing board, or at any
25 airport, golf course, faculty center, or facility in which
26 conference and convention type activities take place belonging

1 to or under control of any State university or public community
2 college district, provided that with respect to a facility for
3 conference and convention type activities alcoholic liquors
4 shall be limited to the use of the convention or conference
5 participants or participants in cultural, political or
6 educational activities held in such facilities, and provided
7 further that the faculty or staff of the State university or a
8 public community college district, or members of an
9 organization of students, alumni, faculty or staff of the State
10 university or a public community college district are active
11 participants in the conference or convention, or in Memorial
12 Stadium on the campus of the University of Illinois at
13 Urbana-Champaign during games in which the Chicago Bears
14 professional football team is playing in that stadium during
15 the renovation of Soldier Field, not more than one and a half
16 hours before the start of the game and not after the end of the
17 third quarter of the game, or in the Pavilion Facility on the
18 campus of the University of Illinois at Chicago during games in
19 which the Chicago Storm professional soccer team is playing in
20 that facility, not more than one and a half hours before the
21 start of the game and not after the end of the third quarter of
22 the game, or in the Pavilion Facility on the campus of the
23 University of Illinois at Chicago during games in which the
24 WNBA professional women's basketball team is playing in that
25 facility, not more than one and a half hours before the start
26 of the game and not after the 10-minute mark of the second half

1 of the game, or by a catering establishment which has rented
2 facilities from a board of trustees of a public community
3 college district, or in a restaurant that is operated by a
4 commercial tenant in the North Campus Parking Deck building
5 that (1) is located at 1201 West University Avenue, Urbana,
6 Illinois and (2) is owned by the Board of Trustees of the
7 University of Illinois, or, if approved by the District board,
8 on land owned by the Metropolitan Sanitary District of Greater
9 Chicago and leased to others for a term of at least 20 years.
10 Nothing in this Section precludes the sale or delivery of
11 alcoholic liquor in the form of original packaged goods in
12 premises located at 500 S. Racine in Chicago belonging to the
13 University of Illinois and used primarily as a grocery store by
14 a commercial tenant during the term of a lease that predates
15 the University's acquisition of the premises; but the
16 University shall have no power or authority to renew, transfer,
17 or extend the lease with terms allowing the sale of alcoholic
18 liquor; and the sale of alcoholic liquor shall be subject to
19 all local laws and regulations. After the acquisition by
20 Winnebago County of the property located at 404 Elm Street in
21 Rockford, a commercial tenant who sold alcoholic liquor at
22 retail on a portion of the property under a valid license at
23 the time of the acquisition may continue to do so for so long
24 as the tenant and the County may agree under existing or future
25 leases, subject to all local laws and regulations regarding the
26 sale of alcoholic liquor. Alcoholic liquors may be delivered to

1 and sold at Memorial Hall, located at 211 North Main Street,
2 Rockford, under conditions approved by Winnebago County and
3 subject to all local laws and regulations regarding the sale of
4 alcoholic liquor. Each facility shall provide dram shop
5 liability in maximum insurance coverage limits so as to save
6 harmless the State, municipality, State university, airport,
7 golf course, faculty center, facility in which conference and
8 convention type activities take place, park district, Forest
9 Preserve District, public community college district,
10 aquarium, museum, or sanitary district from all financial loss,
11 damage or harm. Alcoholic liquors may be sold at retail in
12 buildings of golf courses owned by municipalities or Illinois
13 State University in connection with the operation of an
14 established food serving facility during times when food is
15 dispensed for consumption upon the premises. Alcoholic liquors
16 may be delivered to and sold at retail in any building owned by
17 a fire protection district organized under the Fire Protection
18 District Act, provided that such delivery and sale is approved
19 by the board of trustees of the district, and provided further
20 that such delivery and sale is limited to fundraising events
21 and to a maximum of 6 events per year. However, the limitation
22 to fundraising events and to a maximum of 6 events per year
23 does not apply to the delivery, sale, or manufacture of
24 alcoholic liquors at the building located at 59 Main Street in
25 Oswego, Illinois, owned by the Oswego Fire Protection District
26 if the alcoholic liquor is sold or dispensed as approved by the

1 Oswego Fire Protection District and the property is no longer
2 being utilized for fire protection purposes.

3 Alcoholic liquors may be served or sold in buildings under
4 the control of the Board of Trustees of the University of
5 Illinois for events that the Board may determine are public
6 events and not related student activities. The Board of
7 Trustees shall issue a written policy within 6 months of the
8 effective date of this amendatory Act of the 95th General
9 Assembly concerning the types of events that would be eligible
10 for an exemption. Thereafter, the Board of Trustees may issue
11 revised, updated, new, or amended policies as it deems
12 necessary and appropriate. In preparing its written policy, the
13 Board of Trustees shall, among other factors it considers
14 relevant and important, give consideration to the following:

15 (i) whether the event is a student activity or student related
16 activity; (ii) whether the physical setting of the event is
17 conducive to control of liquor sales and distribution; (iii)
18 the ability of the event operator to ensure that the sale or
19 serving of alcoholic liquors and the demeanor of the
20 participants are in accordance with State law and University
21 policies; (iv) regarding the anticipated attendees at the
22 event, the relative proportion of individuals under the age of
23 21 to individuals age 21 or older; (v) the ability of the venue
24 operator to prevent the sale or distribution of alcoholic
25 liquors to individuals under the age of 21; (vi) whether the
26 event prohibits participants from removing alcoholic beverages

1 from the venue; and (vii) whether the event prohibits
2 participants from providing their own alcoholic liquors to the
3 venue. In addition, any policy submitted by the Board of
4 Trustees to the Illinois Liquor Control Commission must require
5 that any event at which alcoholic liquors are served or sold in
6 buildings under the control of the Board of Trustees shall
7 require the prior written approval of the Office of the
8 Chancellor for the University campus where the event is
9 located. The Board of Trustees shall submit its policy, and any
10 subsequently revised, updated, new, or amended policies, to the
11 Illinois Liquor Control Commission, and any University event,
12 or location for an event, exempted under such policies shall
13 apply for a license under the applicable Sections of this Act.

14 Alcoholic liquors may be served or sold in buildings under
15 the control of the Board of Trustees of Northern Illinois
16 University for events that the Board may determine are public
17 events and not student-related activities. The Board of
18 Trustees shall issue a written policy within 6 months after
19 June 28, 2011 (the effective date of Public Act 97-45)
20 concerning the types of events that would be eligible for an
21 exemption. Thereafter, the Board of Trustees may issue revised,
22 updated, new, or amended policies as it deems necessary and
23 appropriate. In preparing its written policy, the Board of
24 Trustees shall, in addition to other factors it considers
25 relevant and important, give consideration to the following:
26 (i) whether the event is a student activity or student-related

1 activity; (ii) whether the physical setting of the event is
2 conducive to control of liquor sales and distribution; (iii)
3 the ability of the event operator to ensure that the sale or
4 serving of alcoholic liquors and the demeanor of the
5 participants are in accordance with State law and University
6 policies; (iv) the anticipated attendees at the event and the
7 relative proportion of individuals under the age of 21 to
8 individuals age 21 or older; (v) the ability of the venue
9 operator to prevent the sale or distribution of alcoholic
10 liquors to individuals under the age of 21; (vi) whether the
11 event prohibits participants from removing alcoholic beverages
12 from the venue; and (vii) whether the event prohibits
13 participants from providing their own alcoholic liquors to the
14 venue.

15 Alcoholic liquors may be served or sold in buildings under
16 the control of the Board of Trustees of Chicago State
17 University for events that the Board may determine are public
18 events and not student-related activities. The Board of
19 Trustees shall issue a written policy within 6 months after
20 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~
21 ~~amendatory Act of the 98th General Assembly~~ concerning the
22 types of events that would be eligible for an exemption.
23 Thereafter, the Board of Trustees may issue revised, updated,
24 new, or amended policies as it deems necessary and appropriate.
25 In preparing its written policy, the Board of Trustees shall,
26 in addition to other factors it considers relevant and

1 important, give consideration to the following: (i) whether the
2 event is a student activity or student-related activity; (ii)
3 whether the physical setting of the event is conducive to
4 control of liquor sales and distribution; (iii) the ability of
5 the event operator to ensure that the sale or serving of
6 alcoholic liquors and the demeanor of the participants are in
7 accordance with State law and University policies; (iv) the
8 anticipated attendees at the event and the relative proportion
9 of individuals under the age of 21 to individuals age 21 or
10 older; (v) the ability of the venue operator to prevent the
11 sale or distribution of alcoholic liquors to individuals under
12 the age of 21; (vi) whether the event prohibits participants
13 from removing alcoholic beverages from the venue; and (vii)
14 whether the event prohibits participants from providing their
15 own alcoholic liquors to the venue.

16 Alcoholic liquors may be served or sold in buildings under
17 the control of the Board of Trustees of Illinois State
18 University for events that the Board may determine are public
19 events and not student-related activities. The Board of
20 Trustees shall issue a written policy within 6 months after the
21 effective date of this amendatory Act of the 97th General
22 Assembly concerning the types of events that would be eligible
23 for an exemption. Thereafter, the Board of Trustees may issue
24 revised, updated, new, or amended policies as it deems
25 necessary and appropriate. In preparing its written policy, the
26 Board of Trustees shall, in addition to other factors it

1 considers relevant and important, give consideration to the
2 following: (i) whether the event is a student activity or
3 student-related activity; (ii) whether the physical setting of
4 the event is conducive to control of liquor sales and
5 distribution; (iii) the ability of the event operator to ensure
6 that the sale or serving of alcoholic liquors and the demeanor
7 of the participants are in accordance with State law and
8 University policies; (iv) the anticipated attendees at the
9 event and the relative proportion of individuals under the age
10 of 21 to individuals age 21 or older; (v) the ability of the
11 venue operator to prevent the sale or distribution of alcoholic
12 liquors to individuals under the age of 21; (vi) whether the
13 event prohibits participants from removing alcoholic beverages
14 from the venue; and (vii) whether the event prohibits
15 participants from providing their own alcoholic liquors to the
16 venue.

17 Alcoholic liquor may be delivered to and sold at retail in
18 the Dorchester Senior Business Center owned by the Village of
19 Dolton if the alcoholic liquor is sold or dispensed only in
20 connection with organized functions for which the planned
21 attendance is 20 or more persons, and if the person or facility
22 selling or dispensing the alcoholic liquor has provided dram
23 shop liability insurance in maximum limits so as to hold
24 harmless the Village of Dolton and the State from all financial
25 loss, damage and harm.

26 Alcoholic liquors may be delivered to and sold at retail in

1 any building used as an Illinois State Armory provided:

2 (i) the Adjutant General's written consent to the
3 issuance of a license to sell alcoholic liquor in such
4 building is filed with the Commission;

5 (ii) the alcoholic liquor is sold or dispensed only in
6 connection with organized functions held on special
7 occasions;

8 (iii) the organized function is one for which the
9 planned attendance is 25 or more persons; and

10 (iv) the facility selling or dispensing the alcoholic
11 liquors has provided dram shop liability insurance in
12 maximum limits so as to save harmless the facility and the
13 State from all financial loss, damage or harm.

14 Alcoholic liquors may be delivered to and sold at retail in
15 the Chicago Civic Center, provided that:

16 (i) the written consent of the Public Building
17 Commission which administers the Chicago Civic Center is
18 filed with the Commission;

19 (ii) the alcoholic liquor is sold or dispensed only in
20 connection with organized functions held on special
21 occasions;

22 (iii) the organized function is one for which the
23 planned attendance is 25 or more persons;

24 (iv) the facility selling or dispensing the alcoholic
25 liquors has provided dram shop liability insurance in
26 maximum limits so as to hold harmless the Civic Center, the

1 City of Chicago and the State from all financial loss,
2 damage or harm; and

3 (v) all applicable local ordinances are complied with.

4 Alcoholic liquors may be delivered or sold in any building
5 belonging to or under the control of any city, village or
6 incorporated town where more than 75% of the physical
7 properties of the building is used for commercial or
8 recreational purposes, and the building is located upon a pier
9 extending into or over the waters of a navigable lake or stream
10 or on the shore of a navigable lake or stream. In accordance
11 with a license issued under this Act, alcoholic liquor may be
12 sold, served, or delivered in buildings and facilities under
13 the control of the Department of Natural Resources during
14 events or activities lasting no more than 7 continuous days
15 upon the written approval of the Director of Natural Resources
16 acting as the controlling government authority. The Director of
17 Natural Resources may specify conditions on that approval,
18 including but not limited to requirements for insurance and
19 hours of operation. Notwithstanding any other provision of this
20 Act, alcoholic liquor sold by a United States Army Corps of
21 Engineers or Department of Natural Resources concessionaire
22 who was operating on June 1, 1991 for on-premises consumption
23 only is not subject to the provisions of Articles IV and IX.
24 Beer and wine may be sold on the premises of the Joliet Park
25 District Stadium owned by the Joliet Park District when written
26 consent to the issuance of a license to sell beer and wine in

1 such premises is filed with the local liquor commissioner by
2 the Joliet Park District. Beer and wine may be sold in
3 buildings on the grounds of State veterans' homes when written
4 consent to the issuance of a license to sell beer and wine in
5 such buildings is filed with the Commission by the Department
6 of Veterans' Affairs, and the facility shall provide dram shop
7 liability in maximum insurance coverage limits so as to save
8 the facility harmless from all financial loss, damage or harm.
9 Such liquors may be delivered to and sold at any property owned
10 or held under lease by a Metropolitan Pier and Exposition
11 Authority or Metropolitan Exposition and Auditorium Authority.

12 Beer and wine may be sold and dispensed at professional
13 sporting events and at professional concerts and other
14 entertainment events conducted on premises owned by the Forest
15 Preserve District of Kane County, subject to the control of the
16 District Commissioners and applicable local law, provided that
17 dram shop liability insurance is provided at maximum coverage
18 limits so as to hold the District harmless from all financial
19 loss, damage and harm.

20 Nothing in this Section shall preclude the sale or delivery
21 of beer and wine at a State or county fair or the sale or
22 delivery of beer or wine at a city fair in any otherwise lawful
23 manner.

24 Alcoholic liquors may be sold at retail in buildings in
25 State parks under the control of the Department of Natural
26 Resources, provided:

1 a. the State park has overnight lodging facilities with
2 some restaurant facilities or, not having overnight
3 lodging facilities, has restaurant facilities which serve
4 complete luncheon and dinner or supper meals,

5 b. (blank), and ~~consent to the issuance of a license to~~
6 ~~sell alcoholic liquors in the buildings has been filed with~~
7 ~~the commission by the Department of Natural Resources, and~~

8 c. the alcoholic liquors are sold by the State park
9 lodge or restaurant concessionaire only during the hours
10 from 11 o'clock a.m. until 12 o'clock midnight.
11 Notwithstanding any other provision of this Act, alcoholic
12 liquor sold by the State park or restaurant concessionaire
13 is not subject to the provisions of Articles IV and IX.

14 Alcoholic liquors may be sold at retail in buildings on
15 properties under the control of the Historic Sites and
16 Preservation Division of the Historic Preservation Agency or
17 the Abraham Lincoln Presidential Library and Museum provided:

18 a. the property has overnight lodging facilities with
19 some restaurant facilities or, not having overnight
20 lodging facilities, has restaurant facilities which serve
21 complete luncheon and dinner or supper meals,

22 b. consent to the issuance of a license to sell
23 alcoholic liquors in the buildings has been filed with the
24 commission by the Historic Sites and Preservation Division
25 of the Historic Preservation Agency or the Abraham Lincoln
26 Presidential Library and Museum, and

1 c. the alcoholic liquors are sold by the lodge or
2 restaurant concessionaire only during the hours from 11
3 o'clock a.m. until 12 o'clock midnight.

4 The sale of alcoholic liquors pursuant to this Section does
5 not authorize the establishment and operation of facilities
6 commonly called taverns, saloons, bars, cocktail lounges, and
7 the like except as a part of lodge and restaurant facilities in
8 State parks or golf courses owned by Forest Preserve Districts
9 with a population of less than 3,000,000 or municipalities or
10 park districts.

11 Alcoholic liquors may be sold at retail in the Springfield
12 Administration Building of the Department of Transportation
13 and the Illinois State Armory in Springfield; provided, that
14 the controlling government authority may consent to such sales
15 only if

16 a. the request is from a not-for-profit organization;

17 b. such sales would not impede normal operations of the
18 departments involved;

19 c. the not-for-profit organization provides dram shop
20 liability in maximum insurance coverage limits and agrees
21 to defend, save harmless and indemnify the State of
22 Illinois from all financial loss, damage or harm;

23 d. no such sale shall be made during normal working
24 hours of the State of Illinois; and

25 e. the consent is in writing.

26 Alcoholic liquors may be sold at retail in buildings in

1 recreational areas of river conservancy districts under the
2 control of, or leased from, the river conservancy districts.
3 Such sales are subject to reasonable local regulations as
4 provided in Article IV; however, no such regulations may
5 prohibit or substantially impair the sale of alcoholic liquors
6 on Sundays or Holidays.

7 Alcoholic liquors may be provided in long term care
8 facilities owned or operated by a county under Division 5-21 or
9 5-22 of the Counties Code, when approved by the facility
10 operator and not in conflict with the regulations of the
11 Illinois Department of Public Health, to residents of the
12 facility who have had their consumption of the alcoholic
13 liquors provided approved in writing by a physician licensed to
14 practice medicine in all its branches.

15 Alcoholic liquors may be delivered to and dispensed in
16 State housing assigned to employees of the Department of
17 Corrections. No person shall furnish or allow to be furnished
18 any alcoholic liquors to any prisoner confined in any jail,
19 reformatory, prison or house of correction except upon a
20 physician's prescription for medicinal purposes.

21 Alcoholic liquors may be sold at retail or dispensed at the
22 Willard Ice Building in Springfield, at the State Library in
23 Springfield, and at Illinois State Museum facilities by (1) an
24 agency of the State, whether legislative, judicial or
25 executive, provided that such agency first obtains written
26 permission to sell or dispense alcoholic liquors from the

1 controlling government authority, or by (2) a not-for-profit
2 organization, provided that such organization:

3 a. Obtains written consent from the controlling
4 government authority;

5 b. Sells or dispenses the alcoholic liquors in a manner
6 that does not impair normal operations of State offices
7 located in the building;

8 c. Sells or dispenses alcoholic liquors only in
9 connection with an official activity in the building;

10 d. Provides, or its catering service provides, dram
11 shop liability insurance in maximum coverage limits and in
12 which the carrier agrees to defend, save harmless and
13 indemnify the State of Illinois from all financial loss,
14 damage or harm arising out of the selling or dispensing of
15 alcoholic liquors.

16 Nothing in this Act shall prevent a not-for-profit
17 organization or agency of the State from employing the services
18 of a catering establishment for the selling or dispensing of
19 alcoholic liquors at authorized functions.

20 The controlling government authority for the Willard Ice
21 Building in Springfield shall be the Director of the Department
22 of Revenue. The controlling government authority for Illinois
23 State Museum facilities shall be the Director of the Illinois
24 State Museum. The controlling government authority for the
25 State Library in Springfield shall be the Secretary of State.

26 Alcoholic liquors may be delivered to and sold at retail or

1 dispensed at any facility, property or building under the
2 jurisdiction of the Historic Sites and Preservation Division of
3 the Historic Preservation Agency or the Abraham Lincoln
4 Presidential Library and Museum where the delivery, sale or
5 dispensing is by (1) an agency of the State, whether
6 legislative, judicial or executive, provided that such agency
7 first obtains written permission to sell or dispense alcoholic
8 liquors from a controlling government authority, or by (2) an
9 individual or organization provided that such individual or
10 organization:

11 a. Obtains written consent from the controlling
12 government authority;

13 b. Sells or dispenses the alcoholic liquors in a manner
14 that does not impair normal workings of State offices or
15 operations located at the facility, property or building;

16 c. Sells or dispenses alcoholic liquors only in
17 connection with an official activity of the individual or
18 organization in the facility, property or building;

19 d. Provides, or its catering service provides, dram
20 shop liability insurance in maximum coverage limits and in
21 which the carrier agrees to defend, save harmless and
22 indemnify the State of Illinois from all financial loss,
23 damage or harm arising out of the selling or dispensing of
24 alcoholic liquors.

25 The controlling government authority for the Historic
26 Sites and Preservation Division of the Historic Preservation

1 Agency shall be the Director of the Historic Sites and
2 Preservation, and the controlling government authority for the
3 Abraham Lincoln Presidential Library and Museum shall be the
4 Director of the Abraham Lincoln Presidential Library and
5 Museum.

6 Alcoholic liquors may be delivered to and sold at retail or
7 dispensed for consumption at the Michael Bilandic Building at
8 160 North LaSalle Street, Chicago IL 60601, after the normal
9 business hours of any day care or child care facility located
10 in the building, by (1) a commercial tenant or subtenant
11 conducting business on the premises under a lease made pursuant
12 to Section 405-315 of the Department of Central Management
13 Services Law (20 ILCS 405/405-315), provided that such tenant
14 or subtenant who accepts delivery of, sells, or dispenses
15 alcoholic liquors shall procure and maintain dram shop
16 liability insurance in maximum coverage limits and in which the
17 carrier agrees to defend, indemnify, and save harmless the
18 State of Illinois from all financial loss, damage, or harm
19 arising out of the delivery, sale, or dispensing of alcoholic
20 liquors, or by (2) an agency of the State, whether legislative,
21 judicial, or executive, provided that such agency first obtains
22 written permission to accept delivery of and sell or dispense
23 alcoholic liquors from the Director of Central Management
24 Services, or by (3) a not-for-profit organization, provided
25 that such organization:

26 a. obtains written consent from the Department of

1 Central Management Services;

2 b. accepts delivery of and sells or dispenses the
3 alcoholic liquors in a manner that does not impair normal
4 operations of State offices located in the building;

5 c. accepts delivery of and sells or dispenses alcoholic
6 liquors only in connection with an official activity in the
7 building; and

8 d. provides, or its catering service provides, dram
9 shop liability insurance in maximum coverage limits and in
10 which the carrier agrees to defend, save harmless, and
11 indemnify the State of Illinois from all financial loss,
12 damage, or harm arising out of the selling or dispensing of
13 alcoholic liquors.

14 Nothing in this Act shall prevent a not-for-profit
15 organization or agency of the State from employing the services
16 of a catering establishment for the selling or dispensing of
17 alcoholic liquors at functions authorized by the Director of
18 Central Management Services.

19 Alcoholic liquors may be sold at retail or dispensed at the
20 James R. Thompson Center in Chicago, subject to the provisions
21 of Section 7.4 of the State Property Control Act, and 222 South
22 College Street in Springfield, Illinois by (1) a commercial
23 tenant or subtenant conducting business on the premises under a
24 lease or sublease made pursuant to Section 405-315 of the
25 Department of Central Management Services Law (20 ILCS
26 405/405-315), provided that such tenant or subtenant who sells

1 or dispenses alcoholic liquors shall procure and maintain dram
2 shop liability insurance in maximum coverage limits and in
3 which the carrier agrees to defend, indemnify and save harmless
4 the State of Illinois from all financial loss, damage or harm
5 arising out of the sale or dispensing of alcoholic liquors, or
6 by (2) an agency of the State, whether legislative, judicial or
7 executive, provided that such agency first obtains written
8 permission to sell or dispense alcoholic liquors from the
9 Director of Central Management Services, or by (3) a
10 not-for-profit organization, provided that such organization:

11 a. Obtains written consent from the Department of
12 Central Management Services;

13 b. Sells or dispenses the alcoholic liquors in a manner
14 that does not impair normal operations of State offices
15 located in the building;

16 c. Sells or dispenses alcoholic liquors only in
17 connection with an official activity in the building;

18 d. Provides, or its catering service provides, dram
19 shop liability insurance in maximum coverage limits and in
20 which the carrier agrees to defend, save harmless and
21 indemnify the State of Illinois from all financial loss,
22 damage or harm arising out of the selling or dispensing of
23 alcoholic liquors.

24 Nothing in this Act shall prevent a not-for-profit
25 organization or agency of the State from employing the services
26 of a catering establishment for the selling or dispensing of

1 alcoholic liquors at functions authorized by the Director of
2 Central Management Services.

3 Alcoholic liquors may be sold or delivered at any facility
4 owned by the Illinois Sports Facilities Authority provided that
5 dram shop liability insurance has been made available in a
6 form, with such coverage and in such amounts as the Authority
7 reasonably determines is necessary.

8 Alcoholic liquors may be sold at retail or dispensed at the
9 Rockford State Office Building by (1) an agency of the State,
10 whether legislative, judicial or executive, provided that such
11 agency first obtains written permission to sell or dispense
12 alcoholic liquors from the Department of Central Management
13 Services, or by (2) a not-for-profit organization, provided
14 that such organization:

15 a. Obtains written consent from the Department of
16 Central Management Services;

17 b. Sells or dispenses the alcoholic liquors in a manner
18 that does not impair normal operations of State offices
19 located in the building;

20 c. Sells or dispenses alcoholic liquors only in
21 connection with an official activity in the building;

22 d. Provides, or its catering service provides, dram
23 shop liability insurance in maximum coverage limits and in
24 which the carrier agrees to defend, save harmless and
25 indemnify the State of Illinois from all financial loss,
26 damage or harm arising out of the selling or dispensing of

1 alcoholic liquors.

2 Nothing in this Act shall prevent a not-for-profit
3 organization or agency of the State from employing the services
4 of a catering establishment for the selling or dispensing of
5 alcoholic liquors at functions authorized by the Department of
6 Central Management Services.

7 Alcoholic liquors may be sold or delivered in a building
8 that is owned by McLean County, situated on land owned by the
9 county in the City of Bloomington, and used by the McLean
10 County Historical Society if the sale or delivery is approved
11 by an ordinance adopted by the county board, and the
12 municipality in which the building is located may not prohibit
13 that sale or delivery, notwithstanding any other provision of
14 this Section. The regulation of the sale and delivery of
15 alcoholic liquor in a building that is owned by McLean County,
16 situated on land owned by the county, and used by the McLean
17 County Historical Society as provided in this paragraph is an
18 exclusive power and function of the State and is a denial and
19 limitation under Article VII, Section 6, subsection (h) of the
20 Illinois Constitution of the power of a home rule municipality
21 to regulate that sale and delivery.

22 Alcoholic liquors may be sold or delivered in any building
23 situated on land held in trust for any school district
24 organized under Article 34 of the School Code, if the building
25 is not used for school purposes and if the sale or delivery is
26 approved by the board of education.

1 Alcoholic liquors may be sold or delivered in buildings
2 owned by the Community Building Complex Committee of Boone
3 County, Illinois if the person or facility selling or
4 dispensing the alcoholic liquor has provided dram shop
5 liability insurance with coverage and in amounts that the
6 Committee reasonably determines are necessary.

7 Alcoholic liquors may be sold or delivered in the building
8 located at 1200 Centerville Avenue in Belleville, Illinois and
9 occupied by either the Belleville Area Special Education
10 District or the Belleville Area Special Services Cooperative.

11 Alcoholic liquors may be delivered to and sold at the Louis
12 Joliet Renaissance Center, City Center Campus, located at 214
13 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts
14 Department facilities, Main Campus, located at 1215 Houbolt
15 Road, Joliet, owned by or under the control of Joliet Junior
16 College, Illinois Community College District No. 525.

17 Alcoholic liquors may be delivered to and sold at Triton
18 College, Illinois Community College District No. 504.

19 Alcoholic liquors may be delivered to and sold at the
20 College of DuPage, Illinois Community College District No. 502.

21 Alcoholic liquors may be delivered to and sold at the
22 building located at 446 East Hickory Avenue in Apple River,
23 Illinois, owned by the Apple River Fire Protection District,
24 and occupied by the Apple River Community Association if the
25 alcoholic liquor is sold or dispensed only in connection with
26 organized functions approved by the Apple River Community

1 Association for which the planned attendance is 20 or more
2 persons and if the person or facility selling or dispensing the
3 alcoholic liquor has provided dram shop liability insurance in
4 maximum limits so as to hold harmless the Apple River Fire
5 Protection District, the Village of Apple River, and the Apple
6 River Community Association from all financial loss, damage,
7 and harm.

8 Alcoholic liquors may be delivered to and sold at the Sikia
9 Restaurant, Kennedy King College Campus, located at 740 West
10 63rd Street, Chicago, and at the Food Services in the Great
11 Hall/Washburne Culinary Institute Department facility, Kennedy
12 King College Campus, located at 740 West 63rd Street, Chicago,
13 owned by or under the control of City Colleges of Chicago,
14 Illinois Community College District No. 508.

15 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
16 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
17 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.
18 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised
19 9-24-13.)

20 (320 ILCS 65/20 rep.)

21 Section 125. The Family Caregiver Act is amended by
22 repealing Section 20.

23 (410 ILCS 3/10 rep.)

24 Section 130. The Atherosclerosis Prevention Act is amended

1 by repealing Section 10.

2 (410 ILCS 425/Act rep.)

3 Section 135. The High Blood Pressure Control Act is
4 repealed.

5 Section 140. The Environmental Protection Act is amended by
6 changing Section 22.8 as follows:

7 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

8 Sec. 22.8. Environmental Protection Permit and Inspection
9 Fund.

10 (a) There is hereby created in the State Treasury a special
11 fund to be known as the Environmental Protection Permit and
12 Inspection Fund. All fees collected by the Agency pursuant to
13 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV)~~,
14 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,
15 or pursuant to Section 22 of the Public Water Supply Operations
16 Act or Section 1011 of the Solid Waste Site Operator
17 Certification Law, as well as ~~and~~ funds collected under
18 subsection (b.5) of Section 42 of this Act, shall be deposited
19 into the Fund. In addition to any monies appropriated from the
20 General Revenue Fund, monies in the Fund shall be appropriated
21 by the General Assembly to the Agency in amounts deemed
22 necessary for manifest, permit, and inspection activities and
23 for performing its functions, powers, and duties under the

1 Solid Waste Site Operator Certification Law ~~processing~~
2 ~~requests under Section 22.2 (j) (6) (E) (v) (IV).~~

3 The General Assembly may appropriate monies in the Fund
4 deemed necessary for Board regulatory and adjudicatory
5 proceedings.

6 (a-5) As soon as practicable after the effective date of
7 this amendatory Act of the 98th General Assembly, but no later
8 than January 1, 2014, the State Comptroller shall direct and
9 the State Treasurer shall transfer all monies in the Industrial
10 Hygiene Regulatory and Enforcement Fund to the Environmental
11 Protection Permit and Inspection Fund to be used in accordance
12 with the terms of the Environmental Protection Permit and
13 Inspection Fund.

14 (a-6) As soon as practicable after the effective date of
15 this amendatory Act of the 98th General Assembly, but no later
16 than December 31, 2014, the State Comptroller shall order the
17 transfer of, and the State Treasurer shall transfer, all moneys
18 in the Hazardous Waste Occupational Licensing Fund into the
19 Environmental Protection Permit and Inspection Fund to be used
20 in accordance with the terms of the Environmental Protection
21 Permit and Inspection Fund.

22 (b) The Agency shall collect from the owner or operator of
23 any of the following types of hazardous waste disposal sites or
24 management facilities which require a RCRA permit under
25 subsection (f) of Section 21 of this Act, or a UIC permit under
26 subsection (g) of Section 12 of this Act, an annual fee in the

1 amount of:

2 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous
3 waste disposal site receiving hazardous waste if the
4 hazardous waste disposal site is located off the site where
5 such waste was produced;

6 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous
7 waste disposal site receiving hazardous waste if the
8 hazardous waste disposal site is located on the site where
9 such waste was produced;

10 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous
11 waste disposal site receiving hazardous waste if the
12 hazardous waste disposal site is an underground injection
13 well;

14 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous
15 waste management facility treating hazardous waste by
16 incineration;

17 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous
18 waste management facility treating hazardous waste by a
19 method, technique or process other than incineration;

20 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous
21 waste management facility storing hazardous waste in a
22 surface impoundment or pile;

23 (7) \$250 (\$500 beginning in 2004) for a hazardous waste
24 management facility storing hazardous waste other than in a
25 surface impoundment or pile; and

26 (8) Beginning in 2004, \$500 for a large quantity

1 hazardous waste generator required to submit an annual or
2 biennial report for hazardous waste generation.

3 (c) Where two or more operational units are located within
4 a single hazardous waste disposal site, the Agency shall
5 collect from the owner or operator of such site an annual fee
6 equal to the highest fee imposed by subsection (b) of this
7 Section upon any single operational unit within the site.

8 (d) The fee imposed upon a hazardous waste disposal site
9 under this Section shall be the exclusive permit and inspection
10 fee applicable to hazardous waste disposal at such site,
11 provided that nothing in this Section shall be construed to
12 diminish or otherwise affect any fee imposed upon the owner or
13 operator of a hazardous waste disposal site by Section 22.2.

14 (e) The Agency shall establish procedures, no later than
15 December 1, 1984, relating to the collection of the hazardous
16 waste disposal site fees authorized by this Section. Such
17 procedures shall include, but not be limited to the time and
18 manner of payment of fees to the Agency, which shall be
19 quarterly, payable at the beginning of each quarter for
20 hazardous waste disposal site fees. Annual fees required under
21 paragraph (7) of subsection (b) of this Section shall accompany
22 the annual report required by Board regulations for the
23 calendar year for which the report applies.

24 (f) For purposes of this Section, a hazardous waste
25 disposal site consists of one or more of the following
26 operational units:

- 1 (1) a landfill receiving hazardous waste for disposal;
- 2 (2) a waste pile or surface impoundment, receiving
3 hazardous waste, in which residues which exhibit any of the
4 characteristics of hazardous waste pursuant to Board
5 regulations are reasonably expected to remain after
6 closure;
- 7 (3) a land treatment facility receiving hazardous
8 waste; or
- 9 (4) a well injecting hazardous waste.

10 (g) The Agency shall assess a fee for each manifest
11 provided by the Agency. For manifests provided on or after
12 January 1, 1989 but before July 1, 2003, the fee shall be \$1
13 per manifest. For manifests provided on or after July 1, 2003,
14 the fee shall be \$3 per manifest.

15 (Source: P.A. 98-78, eff. 7-15-13.)

16 Section 145. The Illinois Pesticide Act is amended by
17 changing Sections 19.3 and 22.2 as follows:

18 (415 ILCS 60/19.3)

19 Sec. 19.3. Agrichemical Facility Response Action Program.

20 (a) It is the policy of the State of Illinois that an
21 Agrichemical Facility Response Action Program be implemented
22 to reduce potential agrichemical pollution and minimize
23 environmental degradation risk potential at these sites. In
24 this Section, "agrichemical facility" means a site where

1 agrichemicals are stored or handled, or both, in preparation
2 for end use. "Agrichemical facility" does not include basic
3 manufacturing or central distribution sites utilized only for
4 wholesale purposes. As used in this Section, "agrichemical"
5 means pesticides or commercial fertilizers at an agrichemical
6 facility.

7 The program shall provide guidance for assessing the threat
8 of soil agrichemical contaminants to groundwater and
9 recommending which sites need to establish a voluntary
10 corrective action program.

11 The program shall establish appropriate site-specific soil
12 cleanup objectives, which shall be based on the potential for
13 the agrichemical contaminants to move from the soil to
14 groundwater and the potential of the specific soil agrichemical
15 contaminants to cause an exceedence of a Class I or Class III
16 groundwater quality standard or a health advisory level. The
17 Department shall use the information found and procedures
18 developed in the Agrichemical Facility Site Contamination
19 Study or other appropriate physical evidence to establish the
20 soil agrichemical contaminant levels of concern to groundwater
21 in the various hydrological settings to establish
22 site-specific cleanup objectives.

23 No remediation of a site may be recommended unless (i) the
24 agrichemical contamination level in the soil exceeds the
25 site-specific cleanup objectives or (ii) the agrichemical
26 contaminant level in the soil exceeds levels where physical

1 evidence and risk evaluation indicates probability of the site
2 causing an exceedence of a groundwater quality standard.

3 When a remediation plan must be carried out over a number
4 of years due to limited financial resources of the owner or
5 operator of the agrichemical facility, those soil agrichemical
6 contaminated areas that have the greatest potential to
7 adversely impact vulnerable Class I groundwater aquifers and
8 adjacent potable water wells shall receive the highest priority
9 rating and be remediated first.

10 (b) (Blank). ~~The Agrichemical Facility Response Action~~
11 ~~Program Board ("the Board") is created. The Board members shall~~
12 ~~consist of the following:~~

13 ~~(1) The Director or the Director's designee.~~

14 ~~(2) One member who represents pesticide manufacturers.~~

15 ~~(3) Two members who represent retail agrichemical~~
16 ~~dealers.~~

17 ~~(4) One member who represents agrichemical~~
18 ~~distributors.~~

19 ~~(5) One member who represents active farmers.~~

20 ~~(6) One member at large.~~

21 ~~The public members of the Board shall be appointed by the~~
22 ~~Governor for terms of 2 years. Those persons on the Board who~~
23 ~~represent pesticide manufacturers, agrichemical dealers,~~
24 ~~agrichemical distributors, and farmers shall be selected from~~
25 ~~recommendations made by the associations whose membership~~
26 ~~reflects those specific areas of interest. The members of the~~

1 ~~Board shall be appointed within 90 days after the effective~~
2 ~~date of this amendatory Act of 1995. Vacancies on the Board~~
3 ~~shall be filled within 30 days. The Board may fill any~~
4 ~~membership position vacant for a period exceeding 30 days.~~

5 ~~The members of the Board shall be paid no compensation, but~~
6 ~~shall be reimbursed for their expenses incurred in performing~~
7 ~~their duties. If a civil proceeding is commenced against a~~
8 ~~Board member arising out of an act or omission occurring within~~
9 ~~the scope of the Board member's performance of his or her~~
10 ~~duties under this Section, the State, as provided by rule,~~
11 ~~shall indemnify the Board member for any damages awarded and~~
12 ~~court costs and attorney's fees assessed as part of a final and~~
13 ~~unreversed judgement, or shall pay the judgment, unless the~~
14 ~~court or jury finds that the conduct or inaction that gave rise~~
15 ~~to the claim or cause of action was intentional, wilful or~~
16 ~~wanton misconduct and was not intended to serve or benefit~~
17 ~~interests of the State.~~

18 ~~The chairperson of the Board shall be selected by the Board~~
19 ~~from among the public members.~~

20 (c) (Blank). ~~The Board has the authority to do the~~
21 ~~following:~~

22 ~~(1) Cooperate with the Department and review and~~
23 ~~approve an agrichemical facility remediation program as~~
24 ~~outlined in the handbook or manual as set forth in~~
25 ~~subdivision (d)(8) of this Section.~~

26 ~~(2) Review and give final approval to each agrichemical~~

1 ~~facility corrective action plan.~~

2 ~~(3) Approve any changes to an agrichemical facility's~~
3 ~~corrective action plan that may be necessary.~~

4 ~~(4) Upon completion of the corrective action plan,~~
5 ~~recommend to the Department that the site specific cleanup~~
6 ~~objectives have been met and that a notice of closure be~~
7 ~~issued by the Department stating that no further remedial~~
8 ~~action is required to remedy the past agrichemical~~
9 ~~contamination.~~

10 ~~(5) When a soil agrichemical contaminant assessment~~
11 ~~confirms that remedial action is not required in accordance~~
12 ~~with the Agrichemical Facility Response Action Program,~~
13 ~~recommend that a notice of closure be issued by the~~
14 ~~Department stating that no further remedial action is~~
15 ~~required to remedy the past agrichemical contamination.~~

16 ~~(6) Periodically review the Department's~~
17 ~~administration of the Agrichemical Incident Response Trust~~
18 ~~Fund and actions taken with respect to the Fund. The Board~~
19 ~~shall also provide advice to the Interagency Committee on~~
20 ~~Pesticides regarding the proper handling of agrichemical~~
21 ~~incidents at agrichemical facilities in Illinois.~~

22 (d) The Director has the authority to do the following:

23 (1) When requested by the owner or operator of an
24 agrichemical facility, may investigate the agrichemical
25 facility site contamination.

26 (2) After completion of the investigation under item

1 ~~subdivision (d)~~ (1) of this subsection ~~Section~~, recommend
2 to the owner or operator of an agrichemical facility that a
3 voluntary assessment be made of the soil agrichemical
4 contaminant when there is evidence that the evaluation of
5 risk indicates that groundwater could be adversely
6 impacted.

7 (3) Review and make recommendations on any corrective
8 action plan submitted by the owner or operator of an
9 agrichemical facility ~~to the Board for final approval~~.

10 (4) On approval by the Director ~~Board~~, issue an order
11 to the owner or operator of an agrichemical facility that
12 has filed a voluntary corrective action plan that the owner
13 or operator may proceed with that plan.

14 (5) Provide remedial project oversight and ~~7~~ monitor
15 remedial work progress, ~~and report to the Board on the~~
16 ~~status of remediation projects~~.

17 (6) Provide staff to support program ~~the~~ activities ~~of~~
18 ~~the Board~~.

19 (7) (Blank). ~~Take appropriate action on the Board's~~
20 ~~recommendations regarding policy needed to carry out the~~
21 ~~Board's responsibilities under this Section~~.

22 (8) Incorporate ~~In cooperation with the Board,~~
23 ~~incorporate~~ the following into a handbook or manual: the
24 procedures for site assessment; pesticide constituents of
25 concern and associated parameters; guidance on remediation
26 techniques, land application, and corrective action plans;

1 and other information or instructions that the Department
2 may find necessary.

3 (9) Coordinate preventive response actions at
4 agrichemical facilities pursuant to the Groundwater
5 Quality Standards adopted pursuant to Section 8 of the
6 Illinois Groundwater Protection Act to mitigate resource
7 groundwater impairment.

8 Upon completion of the corrective action plan ~~and upon~~
9 ~~recommendation of the Board~~, the Department shall issue a
10 notice of closure stating that site-specific cleanup
11 objectives have been met and no further remedial action is
12 required to remedy the past agrichemical contamination.

13 When a soil agrichemical contaminant assessment confirms
14 that remedial action is not required in accordance with the
15 Agrichemical Facility Response Action Program ~~and upon the~~
16 ~~recommendation of the Board~~, a notice of closure shall be
17 issued by the Department stating that no further remedial
18 action is required to remedy the past agrichemical
19 contamination.

20 (e) Upon receipt of notification of an agrichemical
21 contaminant in groundwater pursuant to the Groundwater Quality
22 Standards, the Department shall evaluate the severity of the
23 agrichemical contamination and shall submit to the
24 Environmental Protection Agency an informational notice
25 characterizing it as follows:

26 (1) An agrichemical contaminant in Class I or Class III

1 groundwater has exceeded the levels of a standard adopted
2 pursuant to the Illinois Groundwater Protection Act or a
3 health advisory established by the Illinois Environmental
4 Protection Agency or the United States Environmental
5 Protection Agency; or

6 (2) An agrichemical has been detected at a level that
7 requires preventive notification pursuant to a standard
8 adopted pursuant to the Illinois Groundwater Protection
9 Act.

10 (f) When agrichemical contamination is characterized as in
11 subsection ~~subdivision~~ (e)(1) of this Section, a facility may
12 elect to participate in the Agrichemical Facility Response
13 Action Program. In these instances, the scope of the corrective
14 action plans developed, approved, and completed under this
15 program shall be limited to the soil agrichemical contamination
16 present at the site unless implementation of the plan is
17 coordinated with the Illinois Environmental Protection Agency
18 as follows:

19 (1) Upon receipt of notice of intent to include
20 groundwater in an action by a facility, the Department
21 shall also notify the Illinois Environmental Protection
22 Agency.

23 (2) Upon receipt of the corrective action plan, the
24 Department shall coordinate a joint review of the plan with
25 the Illinois Environmental Protection Agency.

26 (3) The Illinois Environmental Protection Agency may

1 provide a written endorsement of the corrective action
2 plan.

3 (4) The Illinois Environmental Protection Agency may
4 approve a groundwater management zone for a period of 5
5 years after the implementation of the corrective action
6 plan to allow for groundwater impairment mitigation
7 results.

8 (5) (Blank). ~~The Department, in cooperation with the~~
9 ~~Illinois Environmental Protection Agency, shall recommend~~
10 ~~a proposed corrective action plan to the Board for final~~
11 ~~approval to proceed with remediation. The recommendation~~
12 ~~shall be based on the joint review conducted under~~
13 ~~subdivision (f)(2) of this Section and the status of any~~
14 ~~endorsement issued under subdivision (f)(3) of this~~
15 ~~Section.~~

16 (6) The Department, in cooperation with the Illinois
17 Environmental Protection Agency, shall provide remedial
18 project oversight, monitor remedial work progress, ~~and~~
19 ~~report to the Board on the status of the remediation~~
20 ~~project.~~

21 (7) The Department shall, upon completion of the
22 corrective action plan ~~and recommendation of the Board,~~
23 issue a notice of closure stating that no further remedial
24 action is required to remedy the past agrichemical
25 contamination.

26 (g) When an owner or operator of an agrichemical facility

1 initiates a soil contamination assessment on the owner's or
2 operator's own volition and independent of any requirement
3 under this Section 19.3, information contained in that
4 assessment may be held as confidential information by the owner
5 or operator of the facility.

6 (h) Except as otherwise provided by Department rule, on and
7 after the effective date of this amendatory Act of the 98th
8 General Assembly, any Agrichemical Facility Response Action
9 Program requirement that may be satisfied by an industrial
10 hygienist licensed pursuant to the Industrial Hygienists
11 Licensure Act repealed in this amendatory Act may be satisfied
12 by a Certified Industrial Hygienist certified by the American
13 Board of Industrial Hygiene.

14 (Source: P.A. 98-78, eff. 7-15-13.)

15 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

16 Sec. 22.2. (a) There is hereby created a trust fund in the
17 State Treasury to be known as the Agrichemical Incident
18 Response Trust Fund. Any funds received by the Director of
19 Agriculture from the mandates of Section 13.1 shall be
20 deposited with the Treasurer as ex-officio custodian and held
21 separate and apart from any public money of this State, with
22 accruing interest on the trust funds deposited into the trust
23 fund. Disbursement from the fund for purposes as set forth in
24 this Section shall be by voucher ordered by the Director and
25 paid by a warrant drawn by the State Comptroller and

1 countersigned by the State Treasurer. The Director shall order
2 disbursements from the Agrichemical Incident Response Trust
3 Fund only for payment of the expenses authorized by this Act.
4 Monies in this trust fund shall not be subject to appropriation
5 by the General Assembly but shall be subject to audit by the
6 Auditor General. Should the program be terminated, all
7 unobligated funds in the trust fund shall be transferred to a
8 trust fund to be used for purposes as originally intended or be
9 transferred to the Pesticide Control Fund. Interest earned on
10 the Fund shall be deposited in the Fund. Monies in the Fund may
11 be used by the Department of Agriculture for the following
12 purposes:

13 (1) for payment of costs of response action incurred by
14 owners or operators of agrichemical facilities as provided
15 in Section 22.3 of this Act;

16 (2) for the Department to take emergency action in
17 response to a release of agricultural pesticides from an
18 agrichemical facility that has created an imminent threat
19 to public health or the environment;

20 (3) for the costs of administering its activities
21 relative to the Fund as delineated in subsections (b) and
22 (c) of this Section; and

23 (4) for the Department to:

24 (A) (blank); and ~~reimburse members of the~~
25 ~~Agrichemical Facility Response Action Program Board~~
26 ~~for their expenses incurred in performing their duties~~

1 ~~as defined under Section 19.3 of this Act; and~~

2 (B) administer ~~provide staff to support the~~
3 ~~activities of~~ the Agrichemical Facility Response
4 Action Program ~~Board~~.

5 The total annual expenditures from the Fund for these
6 purposes under this paragraph (4) shall not be more than
7 \$120,000, and no expenditure from the Fund for these
8 purposes shall be made when the Fund balance becomes less
9 than \$750,000.

10 (b) The action undertaken shall be such as may be necessary
11 or appropriate to protect human health or the environment.

12 (c) The Director of Agriculture is authorized to enter into
13 contracts and agreements as may be necessary to carry out the
14 Department's duties under this Section.

15 (d) Neither the State, the Director, nor any State employee
16 shall be liable for any damages or injury arising out of or
17 resulting from any action taken under this Section.

18 (e) (Blank). ~~On a quarterly basis, the Department shall~~
19 ~~advise and consult with the Agrichemical Facility Response~~
20 ~~Action Program Board as to the Department's administration of~~
21 ~~the Fund.~~

22 (Source: P.A. 89-94, eff. 7-6-95.)

23 Section 150. The Hazardous Material Emergency Response
24 Reimbursement Act is amended by changing Sections 3, 4, and 5
25 as follows:

1 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

2 Sec. 3. Definitions. As used in this Act:

3 (a) "Emergency action" means any action taken at or near
4 the scene of a hazardous materials emergency incident to
5 prevent or minimize harm to human health, to property, or to
6 the environments from the unintentional release of a hazardous
7 material.

8 (b) "Emergency response agency" means a unit of local
9 government, volunteer fire protection organization, or the
10 American Red Cross that provides:

- 11 (1) firefighting services;
12 (2) emergency rescue services;
13 (3) emergency medical services;
14 (4) hazardous materials response teams;
15 (5) civil defense;
16 (6) technical rescue teams; or
17 (7) mass care or assistance to displaced persons.

18 (c) "Responsible party" means a person who:

19 (1) owns or has custody of hazardous material that is
20 involved in an incident requiring emergency action by an
21 emergency response agency; or

22 (2) owns or has custody of bulk or non-bulk packaging
23 or a transport vehicle that contains hazardous material
24 that is involved in an incident requiring emergency action
25 by an emergency response agency; and

1 (3) who causes or substantially contributed to the
2 cause of the incident.

3 (d) "Person" means an individual, a corporation, a
4 partnership, an unincorporated association, or any unit of
5 federal, State or local government.

6 (e) "Annual budget" means the cost to operate an emergency
7 response agency excluding personnel costs, which include
8 salary, benefits and training expenses; and costs to acquire
9 capital equipment including buildings, vehicles and other such
10 major capital cost items.

11 (f) "Hazardous material" means a substance or material in a
12 quantity and form determined by the United States Department of
13 Transportation to be capable of posing an unreasonable risk to
14 health and safety or property when transported in commerce.

15 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~
16 ~~administrative panel.~~

17 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

18 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

19 Sec. 4. Establishment. The Emergency Response
20 Reimbursement Fund in the State Treasury, hereinafter called
21 the Fund, is hereby created. Appropriations shall be made from
22 the general revenue fund to the Fund. Monies in the Fund shall
23 be used as provided in this Act.

24 The Emergency Response Reimbursement Fund is dissolved as
25 of the effective date of this amendatory Act of the 98th

1 General Assembly. Any moneys remaining in the fund shall be
2 transferred to the Fire Prevention Fund.

3 (Source: P.A. 86-972.)

4 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

5 Sec. 5. Reimbursement to agencies.

6 (a) It shall be the duty of the responsible party to
7 reimburse, within 60 days after the receipt of a bill for the
8 hazardous material emergency incident, the emergency response
9 agencies responding to a hazardous material emergency
10 incident, and any private contractor responding to the incident
11 at the request of an emergency response agency, for the costs
12 incurred in the course of providing emergency action.

13 (b) In the event that the emergency response agencies are
14 not reimbursed by a responsible party as required under
15 subsection (a), monies in the Fund, subject to appropriation,
16 shall be used to reimburse the emergency response agencies
17 providing emergency action at or near the scene of a hazardous
18 materials emergency incident subject to the following
19 limitations:

20 (1) Cost recovery from the Fund is limited to
21 replacement of expended materials including, but not
22 limited to, specialized firefighting foam, damaged hose or
23 other reasonable and necessary supplies.

24 (2) The applicable cost of supplies must exceed 2% of
25 the emergency response agency's annual budget.

1 (3) A minimum of \$500 must have been expended.

2 (4) A maximum of \$10,000 may be requested per incident.

3 (5) The response was made to an incident involving
4 hazardous materials facilities such as rolling stock which
5 are not in a terminal and which are not included on the
6 property tax roles for the jurisdiction where the incident
7 occurred.

8 (c) Application for reimbursement from the Fund shall be
9 made to the State Fire Marshal or his designee. The State Fire
10 Marshal shall, through rulemaking, promulgate a standard form
11 for such application. The State Fire Marshal shall adopt rules
12 for the administration of this Act.

13 (d) Claims against the Fund shall be reviewed by the
14 Illinois Fire Advisory Commission at its normally scheduled
15 meetings, as the claims are received. The Commission shall be
16 responsible for:

17 (1) reviewing claims made against the Fund and
18 determining reasonable and necessary expenses to be
19 reimbursed for an emergency response agency:

20 (2) affirming that the emergency response agency has
21 made a reasonable effort to recover expended costs from
22 involved parties; and

23 (3) advising the State Fire Marshal as to those claims
24 against the Fund which merit reimbursement.

25 (e) The State Fire Marshal shall either accept or reject
26 the Commission's recommendations as to a claim's eligibility.

1 The eligibility decision of the State Fire Marshal shall be a
2 final administrative decision, and may be reviewed as provided
3 under the Administrative Review Law.

4 (Source: P.A. 93-989, eff. 1-1-05.)

5 (430 ILCS 55/7 rep.)

6 Section 155. The Hazardous Material Emergency Response
7 Reimbursement Act is amended by repealing Section 7.

8 (510 ILCS 15/1 rep.)

9 Section 160. The Animal Gastroenteritis Act is amended by
10 repealing Section 1.

11 Section 165. The Illinois Pseudorabies Control Act is
12 amended by changing Section 5.1 as follows:

13 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

14 Sec. 5.1. Pseudorabies Advisory Committee. Upon the
15 detection of pseudorabies within the State, the ~~The~~ Director of
16 Agriculture is authorized to establish within the Department an
17 advisory committee to be known as the Pseudorabies Advisory
18 Committee. The Committee ~~Such committee~~ shall consist of, but
19 not be limited to, representatives of swine producers, general
20 swine organizations within the State, licensed veterinarians,
21 general farm organizations, auction markets, the packing
22 industry and the University of Illinois. Members of the

1 Committee shall only be appointed and meet during the timeframe
2 of the detection. The Director shall, from time to time,
3 consult with the Pseudorabies Advisory Committee on changes in
4 the pseudorabies control program.

5 The Director shall appoint a Technical Committee from the
6 membership of the Pseudorabies Advisory Committee, which shall
7 be comprised of a veterinarian, a swine extension specialist,
8 and a pork producer. This committee shall serve as resource
9 persons for the technical aspects of the herd plans and may
10 advise the Department on procedures to be followed, timetables
11 for accomplishing the elimination of infection, assist in
12 obtaining cooperation from swine herd owners, and recommend
13 adjustments in the approved herd plan as necessary.

14 These Committee members shall be entitled to reimbursement
15 of all necessary and actual expenses incurred in the
16 performance of their duties.

17 (Source: P.A. 89-154, eff. 7-19-95.)

18 (525 ILCS 25/10 rep.)

19 Section 170. The Illinois Lake Management Program Act is
20 amended by repealing Section 10.

21 (815 ILCS 325/6 rep.)

22 Section 175. The Recyclable Metal Purchase Registration
23 Law is amended by repealing Section 6.

1 Section 995. Illinois Compiled Statutes reassignment.

2 The Legislative Reference Bureau shall reassign the
3 following Act to the specified location in the Illinois
4 Compiled Statutes and file appropriate documents with the Index
5 Division of the Office of the Secretary of State in accordance
6 with subsection (c) of Section 5.04 of the Legislative
7 Reference Bureau Act:

8 Illinois Commission on Volunteerism and Community
9 Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

10 Section 999. Effective date. This Act takes effect upon
11 becoming law, except that Section 70 takes effect January 1,
12 2015.".